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**INVESTIGATION OF COMMUNIST ACTIVITIES IN THE
PHILADELPHIA AREA—Part 1**

HEARING

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

HOUSE OF REPRESENTATIVES

EIGHTY-THIRD CONGRESS

FIRST SESSION

NOVEMBER 16, 1953

Printed for the use of the Committee on Un-American Activities

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COMMITTEE ON UN-AMERICAN ACTIVITIES

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5. January 3, 1953

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE PHILADELPHIA AREA—Part 1

MONDAY, NOVEMBER 16, 1953

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON UN-
AMERICAN ACTIVITIES,
Philadelphia, Pa.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:37 a. m., in courtroom No. 1, United States Courthouse, Ninth and Chestnut Streets, Philadelphia, Pa., Hon. Harold H. Velde (chairman) presiding.

Committee members present: Representatives Harold H. Velde, Kit Clardy, and Francis E. Walter.

Staff members present: Robert L. Kunzig, counsel; Earl Fuoss, and C. E. McKillips, investigators; and Juliette P. Joray, acting clerk.

Mr. VELDE. The subcommittee will be in order.

Mr. Reporter, let the record show that under the authority of the House of Representatives I am designating for the purpose of this hearing a subcommittee composed of Representatives Kit Clardy of Michigan, Francis E. Walter of Pennsylvania, and myself, of Illinois, as chairman.

Hearings relating to Communist activities in the Philadelphia area were instituted by the House Committee on Un-American Activities in October 1952. At that time the hearings dealt largely with the Communist efforts and their success in infiltrating into the vital defense industries in the Philadelphia area. The hearings which are commencing today are a resumption of those hearings and are based on investigations which have been conducted by the staff of the House Committee on Un-American Activities over the past year.

There has been some question raised particularly by the critics of the committee as to what right we have in holding hearings in the Philadelphia area and elsewhere. I should like to make it absolutely clear at this time that the committee is operating not solely on a right but more specifically on a duty which has been assigned to it by the Congress of the United States to ascertain the scope and success of subversive activities and propaganda both of foreign and domestic origin.

The committee is, therefore, charged with the responsibility of investigating subversion wherever it might be found relating to the United States of America.

During the course of the hearings which will follow, the committee intends to call a number of witnesses who have, through the course of the committee's investigation, been identified as either present or past

participants in a subversive organization, the Communist Party. It is the hope of the committee in calling these witnesses that they will add to the information already possessed by the committee of the operation and intent of the Communist Party as relates to the Philadelphia area.

In accordance with the power granted me by the committee, I have given permission for the televising of these hearings. This permission is given with the clear understanding that any such televising can be done only on a public-service basis. The committee appreciates the courtesy which has already been extended by the city of Philadelphia and other authorities in the Federal courthouse here. We appreciate it more than they know. It has been a pleasure to be here so far and we expect it to be a continued pleasure to be here.

Mr. Counsel, will you proceed with your first witness?

Mr. KUNZIG. I call Dr. Bella Dodd. Will she please step forward?

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Dr. DODD. I do.

TESTIMONY OF BELLA V. DODD

Mr. KUNZIG. Would you state your full name, please, Dr. Dodd?

Dr. DODD. Bella V. Dodd.

Mr. KUNZIG. What is your present address, Dr. Dodd?

Dr. DODD. One hundred West 42d Street.

Mr. KUNZIG. In New York?

Dr. DODD. New York City.

Mr. KUNZIG. You understand, of course, your right to have an attorney. I take it you do not have one here this morning and so you prefer to testify without an attorney?

Dr. DODD. My attorney could not be here this morning.

Mr. KUNZIG. You are an attorney yourself, is that right?

Dr. DODD. I am.

Mr. KUNZIG. Would you state, Dr. Dodd, a résumé of your educational background for the record?

Dr. DODD. I am a product of the public schools of the city of New York, both elementary and high school.

I went to the Hunter College where I received my A. B. I did my master's work at Columbia University. I worked toward a doctorate in philosophy and then I switched into the legal division and went to New York University where I received a degree of doctor of jurisprudence.

Mr. KUNZIG. Would you then give the committee a résumé of your employment background?

Dr. DODD. I was employed by the city of New York as a high school teacher for a brief period of several months upon graduation from Hunter College.

I then became employed by Hunter College as an instructor, first as a tutor and then instructor of political science. I taught at Hunter College from 1926 to 1938.

In 1935 I became interested in the Teachers' Union movement and began organizing, on a voluntary basis, with the Teachers' Union in 1936.

In 1938 I took a full-time job as an organizer for the Teachers' Union and became its legislative representative and State organizer for a period from 1938 to 1943, or the end of 1943 or the beginning of 1944.

Mr. CLARDY. State organizer in New York?

Dr. DODD. Yes, I became the State organizer for the State Federation of Teachers' Unions in the State of New York.

Mr. KUNZIG. Would you continue, please?

Dr. DODD. Yes, sir; in 1944 I became an employee of the Communist Party and was the legislative representative of the New York district of the Communist Party.

As a member of the national committee I remained as a member of the national committee until 1948.

Mr. KUNZIG. As a member of the national committee of what?

Dr. DODD. Of the Communist Party. I remained until 1948. But my employment with the Communist Party ended, from a salary point of view, in 1946.

Mr. KUNZIG. I see. Please continue.

Dr. DODD. Since then I have been practicing law as a private entrepreneur.

Mr. KUNZIG. Dr. Dodd, I want to ask you: Have you ever been a member of the Communist Party?

Dr. DODD. Yes, I have been a member of the Communist Party.

Mr. KUNZIG. Obviously you were if you were a member of the national committee of the party. During what years were you a member of the Communist Party?

Dr. DODD. Well, because I was in the professional field, membership and working with the Communist Party kind of merged with each other. I didn't become a member of the Communist Party until the end of 1943, but before then I had worked with the Communist Party from 1932 on, and by the time I became affiliated with the Teachers' Union I was under discipline from the Communist Party, a voluntary discipline in many respects, but I worked with the Communist Party from 1935 in its inner workings on until I got out.

Mr. CLARDY. May I ask a question, Mr. Chairman?

Mr. VELDE. Yes, Mr. Clardy.

Mr. CLARDY. You say you officially became a member at a certain time. By that do you mean that you became a card-carrying member? Explain that a little more, please.

Dr. DODD. Well, Mr. Clardy, this question of card carrying has been overemphasized in the public mind.

Mr. CLARDY. I know it. That is why I am asking the question.

Dr. DODD. Most of us who were professionally connected with or had some key position in the national organization were practically told not to carry cards. Some of us became members and some just worked with the party, attending its secret meetings, attending its fraction meetings, and attending its inner meetings without actually being members of a cell or unit.

We gave contributions to the Communist Party at mass meetings or to one individual. These were not called dues so the question of the relationship of a person in a key organization or an important person professionally in the Communist Party never just depends upon card carrying, and I became a card-carrying member of the

Communist Party when I officially and openly joined the Communist Party and was put in as one of their officers.

Mr. CLARDY. You were received in the circle without the card prior to that time?

Dr. DODD. As a matter of fact, I might state that I was a much more influential and important member during the years when I did not carry a card, influential as far as the mass organizations were concerned. I became more influential in the inner circles when I was selected to the national committee.

Mr. CLARDY. Thank you.

Mr. VELDE. Dr. Dodd, it has always been interesting to me as a member of the committee, and I am sure it has to the other members and I think it is interesting to the loyal American people to learn just how a person becomes a member of the Communist Party, to find out what is in a person's mind, how he is indoctrinated, and I believe you can very efficiently and very ably tell the committee what was in your mind and how you were indoctrinated into the Communist Party.

Dr. DODD. People join the Communist Party for different reasons, but I think the large mass of young people both in the colleges and in the trade-union movements and in other mass organizations are trapped into the Communist Party little by little and on immediate issues rather than upon the fundamental philosophy of communism.

For instance, I myself was a young teacher in 1932. I had come back from Germany where I had seen fascism. I knew fascism was wrong and I am proud of the fact that I opposed both fascism and nazism at that time. But the Communists were very clever in giving us two alternatives, which really were not alternatives. They put themselves at the head of the anti-Fascist movement. They said "We are the great anti-Fascists" and since you wanted to fight fascism you fell into the trap of working with the Communists.

In 1932 they first approached me on the question of uniting in the fight against fascism, and since I had been to Germany and seen the terrible things they could do, I fell for the propaganda line of the Communists. I know now, as practically all Americans are beginning to realize, that these alternatives are false and propaganda alternatives, that actually the Communist movement is nothing but a more intensified kind of fascism, but at that time it was difficult to tell. I know now that every single drop of crude oil used by the Italian armies in fighting Abyssinia was sold to them by the Soviet Union. That was not common knowledge nor did they tell anyone that was what they were doing.

Mr. VELDE. You have mentioned other reasons why someone might get into the Communist Party. What were some of those other reasons?

Dr. DODD. If you are in a trade union, that might be one of the reasons, because the trade union is bedeviled with racketeering. The Communists say "We will cleanse it of the racketeering."

They do work very hard until they gain control. Once they gain control, they have no objection to anything, including racketeering, to hold onto their power. But you do not see the entire picture. You are attracted to communism step by step by the immediate issues which seem good in themselves.

Mr. WALTER. Mr. Chairman, may I ask a question?

Mr. VELDE. Yes.

Mr. WALTER. The thing that disturbs me is that after all the membership of certain labor unions is aware of the fact that the leadership is Communist and that they keep that leadership.

For instance, recently in the election or the convention of the United Electrical Workers they elected well-known Communists to office in that union. How can that happen?

Dr. DODD. Well, it happens for two reasons. You put your finger on perhaps the most important single organized Communist group in America, which is the United Electrical, Radio and Machine Workers of America. The leadership of that is a very strong party leadership trained in Moscow. They have a great deal of money and are tightly knit. The ordinary worker does not have too much time for politics in a union.

He goes to work and if his salary is inadequate he maybe takes a job after work. Maybe he has home duties, but the Communists make a 24-hour-a-day job of this thing.

When it comes to elections they are beginning to control who shall hold a job in these industries and who shall not; people are frightened of moving the union leadership out of power for fear of losing their own jobs.

May I add that some of our industrialists are not being very wise about the relations they had with the Communists because the Communists, as far as the industrialists are concerned, provide a leadership which provides stability for the industrialists. They are perfectly willing to deal with them and therefore they work on the idea that the union is accepted by the industrialists.

Mr. WALTER. Isn't it a fact that some of the corporations in which the United Electrical Workers Union is a bargaining agent are satisfied to retain that sort of a union because the leadership cannot be militant and the workers are not actually faring as well with the Communist leadership as they would with other leadership?

Dr. DODD. I am convinced of that, Congressman, but the people are not as yet. I know that when the Communists took control of a union they were militant as could be until they got control. They fought the racketeers and they fought bad conditions. Once they got control they spent all of their time tying the workers into welfare plans of the union, educational plans of the union, but seldom actually putting up the kind of fight which is needed for the improvement of economic conditions of these workers.

Mr. CLARDY. What this is leading up to apparently is the fact that Congress perhaps should be giving some thought to further erecting barriers against dealings between Communist unions on the one hand and employers on the other hand.

Dr. DODD. I think the members themselves ought to be drawing some conclusions as to where they are leading the American people by dealing with the strong Communist unions. It isn't the unions themselves, but the top leaders.

Mr. CLARDY. You are making it quite clear to me that perhaps there is need for some additional leadership that will make it apparent to even the dumbest of the industrialists that their relations with the Communist leaders of the unions can have nothing but bad effects.

Mr. WALTER. Isn't it true with respect to the defense contracts? Don't you think Congress should give consideration to the advis-

ability of making it impossible to award a contract to a company that has relationships with a Communist-dominated union?

Dr. DODD. I certainly do. I understand that we are giving war contracts for the manufacture of war materials to Communist unions in northern Italy. In other words, we are taking employment from here and giving it to Europe. Stuff is being manufactured and is being of great help to building up the Communist unions there and the Communist leaders in Italy are able to say to their workers in their unions "Look, we got the work for you."

Mr. WALTER. You have been correctly informed and I have just returned from Europe and it is a fact. It is perfectly shocking to me. What we are doing is nurturing a movement which is inimical to the interests of the free peoples of the world.

Mr. CLARDY. I concur with what you have just said.

Mr. VELDE. I concur with both you gentlemen. But we have a lot of difficulty in identifying a Communist-dominated union. Who shall be the authority to identify a Communist Party union as such? Now in order to pass such a law we would have to have quite a bit more information.

As an able lawyer and as a former member of the Communist Party I think you could give us some advice on that.

Dr. DODD. I think both the American Federation of Labor and the CIO and the Railroad Brotherhoods of America could, working with Congress, I think, find a formula whereby this thing can be done. Everyone knows which are the Communist-dominated unions, only everyone is afraid to put their finger on them.

Mr. VELDE. This matter I understand will come up at the next session of Congress in the Labor Committee, of which I am also a member, when it attempts to amend the Taft-Hartley law.

One of the points is to amend it so that we can more effectively handle this Communist domination of the labor unions. We will appreciate any advice that you and also your distinguished colleagues can give us on that.

Mr. CLARDY. I think it will come up with my bill to outlaw the Communist Party when that is up for consideration by either this committee or your committee or some other committee.

Mr. VELDE. Please continue, Mr. Counsel.

Mr. KUNZIG. Dr. Dodd, could you please tell the committee what offices you have had in the Communist Party? Tell us in detail.

Dr. DODD. I was a member of the State committee in New York from 1944 to 1948.

I was a member of the national committee from 1944 to 1948.

I was a member of the State secretariat of the New York district which consisted of Gil Green, Bill Lawrence, Israel Amter, and myself.

That was from the period of late 1943 to 1946. The membership changed during that period but I was on until 1946.

I have been a member of various committees of the party such as the women's commission, the labor commission, the youth commission, the legislative commission, and any number of other committees which arise.

The Communist Party on the inside doesn't have any rigid organizational pattern. It has committees which can be easily set up and taken apart. It is very mobile as far as organizational structure is concerned.

On the fronts of the party I served in many capacities. As a matter of fact it would be impossible to enumerate the number of committees initiated by the party on which I served.

Mr. KUNZIG. Explain a little bit, if you will, how these Communist fronts operate.

Dr. DODD. Well, the pattern I guess is about the same in all, but the Communist Party decides that a certain bit of propaganda shall take hold of the minds of the people. They set up committees and everything is geared toward building that line. Assume that they set up a committee to fight the Velde committee, the Un-American Activities Committee. They have for a long time. Then all you do is build up a number of seemingly nonpartisan people. For instance, you might get a college professor who is a party member but not known as a party member. He then sends a telegram to 1 or 2 or 3 other professors and then they establish themselves as a temporary committee to fight the Un-American Activities Committee. To facilitate that they send out 1,000 or so communications to different names they have and ask such a question as, "Will you join us to fight this?" And then they set up the committee.

Mr. KUNZIG. Would the Communist Party use a list of names of good, decent American citizens who were, shall we say, gullible or willing to agree to almost anything that would come to them, and did they use that list of names, if you know?

Dr. DODD. The Communist Party in its various divisions had lists of many people who had been sympathetic or who could be used on various Communist-front organizations.

As a matter of fact, if I were put in charge of a committee to build the Un-American Activities campaign, I would be given a list of ministers, teachers, trade-union people, newspapers, writers, actors, dancers or what will you, politicians, people in public life. These names would be given to me and telephone numbers and addresses, and I would be free to go ahead and consult with them about serving on my committee.

Mr. KUNZIG. And these names would be given to you by the Communist Party; is that correct?

Dr. DODD. By some one person in the Communist Party in charge of that division. There is no centralized list of these things because they avoid centralization because of the danger that there is to it.

Mr. CLARDY. Mr. Chairman, may I ask a question?

Mr. VELDE. Yes.

Mr. CLARDY. Is it the general idea through that apparatus you have described to then, by the mere punching of a button, so to speak, make it appear that all over America there is a concerted desire, for example, that this committee be abolished or that McCarthy be condemned to perdition, and so on?

Dr. DODD. You can set up a committee like that in a week and have the newspaper publicity for it almost immediately.

You can have 500 names listed in a week of people who support you.

For example, you send a telegram or a letter saying: "Dear Professor, we are setting up such-and-such a committee. May we hear from you? If we don't hear from you we will add your name to the list."

A lot of people, by reason of inertia, do not reply. Then the committee does publicity work and it appears in the New York Times, the Herald Tribune, and all the leading papers, and this would have a

tremendous impact upon the public, the publication of the list of names of 1,000 or 500 college professors all across the country.

Mr. CLARDY. Trying to create the impression of a storm of protest, whereas it is a tempest in a teapot?

Dr. DODD. This is what makes it so difficult to know what are the facts in the case.

Mr. WALTER. I recently had my attention called to a committee in Chicago whose purpose it was to advocate the repeal of the McCarran-Walter immigration law. This committee is composed of many representative people, including 99 clergymen, which is the point that was stressed. What is not known, but I know it and can prove it, is that this committee is being financed by one of the oldest Communist-front organizations in America. Yet here are these 99 clergymen lending themselves to this movement.

Dr. DODD. That is quite the usual pattern. You see you might have a committee which was set up by them, a front committee, yet which was so closely identified with the Communist Party that they can manipulate public opinion in that way.

Mr. KUNZIG. I would like to turn the discussion for a moment to the professional group. Were there such organizations within the Communist Party for professional groups such as teachers and other professional men and women?

Dr. DODD. Yes; the Communist Party was very, very keen about organizing teachers, professors, educators, the intellectuals, because these are the molders of public opinion and these are the people who make the shift in public opinion for the country.

Very often it depended upon what period of history you were in as to whether the professional people became identified with the Communists or not. During a period when the Communist Party is in danger the professional people are more or less placed underground. As a matter of fact, one of the things we used to smile about—that is, those of us who became openly known as party people—was the fear the professional people had, the timidity they had, and we would constantly egg them on to become open and known Communists, but at the same time we would protect those who were important to the party.

Mr. KUNZIG. Did I understand you to say that the teachers group was more closely knit and secret than others?

Dr. DODD. Teachers group and, for instance, other groups like doctors, lawyers, scientists, what will you, had their own separate organization and teachers particularly, since they were large in number, had to worry about the question of security and the question of losing their jobs, and they would be organized by themselves in certain periods of the party history.

During the period of the extreme united-front movement, the teachers were to join in street branches under different names and to merge themselves with housewives and others, but most of the time that I knew the party the teachers had their own special organization with just teachers. They never went to party headquarters and never went anywhere near where the party might be identified, but meetings were organized and held in out-of-the-way places, in private homes.

Mr. KUNZIG. You know, do you, as a matter of fact, from your own personal knowledge in your position as one of the national

leaders of the Communist Party, that there were Communist teacher groups throughout the United States of America?

Dr. DODD. I certainly do.

Mr. KUNZIG. Since it is obvious that the great majority of teachers in America are fine, loyal, and decent citizens, could you give the committee, if it lies within your knowledge, any estimate of the number of Communist teachers that there may have been during this period of time or when you were a member of the national committee of the party?

Dr. DODD. Well, in contrast to the fact that there are 1 million teachers in America, or a little more than 1 million teachers at present, from my knowledge the highest number of Communist Party members that we had among the teachers was never much more than 1,500. That is a very small group, but you must bear in mind that in America there are only, according to J. Edgar Hoover, 25,000 party members at present among 160 million citizens.

William Z. Foster in his book says there are 75,000 party members. But whether there are 75,000 or 25,000, it doesn't matter. The number is insignificant compared to the total population, yet we worry about the Communist situation.

But the same thing is true about the teachers. These 1,500 were all strategically placed and were so instructed and so alert to the problems which the party wanted to bring forward, that you cannot count their number. You must see the intensity with which they work and the training which they had in revolutionary techniques.

Mr. KUNZIG. Did you have any connection with the teachers' unions during your period of time in the Communist Party?

Dr. DODD. Well, my connection with the unions preceded my real integration into the Communist Party.

Mr. KUNZIG. Could you describe, Dr. Dodd, in detail how a teachers' union operates and your experience with the Teachers' Union?

Dr. DODD. Well, teachers' unions operate the same as all other unions. They are a branch of the large number and there is nothing wrong with teachers' unions. I have known of some very effective work done on behalf of teachers by Teachers' Unions.

The difficulty arises that when Communists take over a teachers' union they are not only interested in the economic welfare of the teachers but they begin to use the union for a political purpose, and that is where the real problem comes in because the Communists control the teachers' unions which they do infiltrate.

Teachers' union just operate the way any other unions operate. They are part of an international organization.

If you are familiar with the American Federation of Labor and the CIO and some of those which are independent, you will understand that they operate on the basis of affiliation with and support of the labor union and getting support from labor. Again I want to repeat that there is nothing wrong with teachers' unions as such.

Mr. KUNZIG. Did you have any personal connection with the teachers' unions now existing in Philadelphia, particularly the one which has gone through a rather strenuous career? In 1940 and 1941 it was part of the American Federation of Labor and was known as local No. 192.

It is my understanding, and investigation on the part of the committee has shown, that they later were ousted from the American

Federation of Labor and there was quite a hearing and I understand that a Dr. Dodd, which I assume is yourself, represented the Teachers' Union at that time. I am intrested in knowing whether you did represent the Teachers' Union and also whether this union employed or had as its representative a top Communist, yourself?

Dr. DODD. My first acquaintance with the Philadelphia local of the Teachers' Union came back in 1936 when the American Federation of Teachers held their convention here in Philadelphia. I got to know some of the local people here who were in the Teachers' Union. I also began recognizing almost from the very beginning in my career in the Teachers' Union that the New York local, the WPA teachers movement, the college teachers of New York, the Philadelphia local and a number of the other locals on the eastern seaboard were being manipulated and being guided and directed by the Communist Party.

The history of the Philadelphia local which is almost the history of the local union, has had almost the same pattern. The reason is obvious. During the period that I knew it, it was led, guided, and instructed by the same people.

Mr. KUNZIG. Whom you knew also to be members of the Communist Party?

Dr. DODD. Whom I knew to be leaders of the Communist Party. They were very much concerned about the Communist control within the American Federation of Teachers.

Around the period of the Stalin-Nazi pact in 1939 there were certain other forces of the American Federation of Teachers who decided to fight the Communist influence and, whereas they had not had much success during the Stalin-Nazi pact, they had a great deal of influence in fighting the Communist influence and they began pushing the Communist influence out of office in the American Federation of Teachers and forcing them out of positions of influence and ultimately ousting them, expelling them from the American Federation of Teachers.

It was during this period when I mistakenly thought that the attack was one upon free public education and I, with some help from the Communist Party, began to equate the attack upon the grounds as an attack upon public education. I merged the two and in merging them I gained the sympathy of many people not Communists and got them to help the Communist Teachers' Union to get support in their fight against being ousted by the American Federation of Labor. We were ousted from the American Federation of Labor.

Mr. KUNZIG. The Philadelphia local was finally ousted?

Dr. DODD. Yes; and the New York local, too. Thereafter we remained independent for awhile and that was the Philadelphia and the New York locals, and the independent floundered around because the Communist Party at that time was shifting its policy into support for the war which we were entering, and during that period we were not eager to make any enemies or to attack anyone in the labor union, and the union remained expendable and the Teachers' Union became almost extinct, became very small during that period.

Mr. KUNZIG. Why was local No. 192 of the Teachers' Union here in Philadelphia thrown out of the American Federation of Labor? Was it for Communist activities?

Dr. DODD. All of those locals were thrown out because they were Communist-dominated unions.

Mr. KUNZIG. And you as a member of the Communist Party at that time, testifying today before this committee, knew and now know that they were Communist dominated?

Dr. DODD. Yes, as a person who was teaching in the Communist conspiracy at that time, I knew that they were working to try to keep the Communist unions within the American Federation of Labor.

Mr. VELDE. Can you give us the date that the Philadelphia union was thrown out of the American Federation of Labor?

Dr. DODD. I am not certain whether it was late 1940 or the beginning of 1941.

Mr. KUNZIG. I believe it was 1941. Then the group remained not affiliated for some period of time and finally became local No. 556 of the State, County, and Municipal Workers of America, CIO. They were finally accepted by the CIO; is that correct?

Dr. DODD. There again the negotiations for being affiliated with the CIO were carried out jointly by a joint committee of the Philadelphia and the New York locals and we hoped we could find someone and we shopped around for someone to take us into the big organization. At that time we approached the CIO and they would have nothing to do with us. We asked for them to establish a teachers' union and then we shopped around for the State, County, and Municipal Workers which was Communist led at that time and they agreed to take the ousted local of the American Federation of Labor into the State, County, and Municipal Workers of America.

Mr. KUNZIG. This State, County, and Municipal Workers of America became the United Public Workers of America, and on February 16, 1950, the United Public Workers of the CIO withdrew from the CIO and became independent.

Dr. DODD. Withdrew?

Mr. KUNZIG. Withdrew, and I say that with quotation marks around it. Do you know why they left the CIO?

Dr. DODD. That was the time that Philip Murray was determined to cleanse the CIO of the Communist-led unions.

Mr. KUNZIG. And you knew that that was one of the Communist-led unions, from your personal experience?

Dr. DODD. I certainly did.

Mr. KUNZIG. You knew that because you were with those people.

Dr. DODD. Yes.

Mr. KUNZIG. The Teachers' Union had gone through all these various committees and unions and national affiliations, and do you know as a matter of fact whether this is the same group of people, the same union as it was all during those years?

Dr. DODD. Well, I guess it has some change in membership but as an organized group it is the same.

Mr. KUNZIG. And it would have the same policy and the same leadership?

Dr. DODD. That I cannot tell you because I have not been close to it since I was there, but I would assume that it would.

Mr. KUNZIG. Dr. Dodd, what instructions would the party give, if any, to Communist teachers?

Dr. DODD. The Communist Party is not interested in unions per se just to improve the working condition of the workers, and that includes the teachers as well as any other unions.

The Communist Party, in accordance with Lenin's theory of trade unionism, is that a union is important not for its economic force but for its political force and political power. Therefore, the Communist teachers who really were Communist Party members would have to understand that their union would have to play a political role and they would push them into the position of putting forth and supporting the Communist political objectives.

As far as the teaching of the children was concerned, there would have to be certain ideology. The children would have to be taught in accordance with the directives of the Communist Party. If the Communist Party directives are to eliminate the private ownership of property, children would have to be taught in that direction.

If the Communist Party believes—and it does—in eliminating all religion and all belief in God, then the Communist teachers would have to promote the Communist Party program as far as they possibly dare to do so and of course it was a question of judgment as to how far you could go without getting fired.

Mr. KUNZIG. Can a Communist teacher teach children and still be free to teach them all sides of every question, major sides of questions?

Dr. DODD. It is absolutely impossible for a person to tear himself apart and say "I am a Communist today but I am teaching geography or history tomorrow and therefore I will teach the non-Communist history or the non-Communist geography."

You may ask, Is there a Communist geography to teach? Is there a Communist history to teach? The answer is obvious. A teacher teaches children. It is the things you say, the way you greet the children, the time you spend with them after hours, the books you recommend and the newspapers you recommend. That is where the Communist teacher is very clever in putting forth her ideology and making it a part of the pattern of the child's mind.

Mr. CLARDY. Mr. Chairman, may I ask a question?

Mr. VELDE. Yes.

Mr. CLARDY. We ran across a situation in Los Angeles where they even perverted the Mother Goose rhymes to promote the Communist Party line.

Dr. DODD. You would be surprised at just how some of the great heroes of America have been perverted to promote the Communist Party line.

Mr. CLARDY. Lincoln was a Communist, according to them.

Dr. DODD. They always quote from Jefferson on those things which promote their revolution. They seldom quote Lincoln's great spiritual messages but they quote those things which promote their idea.

It is time we recaptured our own national heroes.

Mr. KUNZIG. Before I ask the next question I want to make clear for the record that there are approximately 4 teachers' unions in Philadelphia and we have been talking only about 1, entitled "The Teachers' Union of Philadelphia," formerly known as local No. 192 or some time later known as local No. 556 or the Jennings union. That is the only union we are talking about.

How is a Communist teacher supposed to act with respect to outside organizations, membership in other organizations, and so forth?

Dr. DODD. It is the Communist teacher's duty to join as many organizations as we possibly can in order to influence and to bring

the line of the party into those organizations. And this is particularly true of her professional organizations. Thus a teacher might be a member of the Communist Party, of her union, then of a broad professional organization like the Association of Mathematics Teachers or the Association of Social Studies Teachers or the Association of English Teachers.

Then into as many of the political organizations to which teachers might belong and, if they are women, into as many women's organizations as they can. Thus one Communist Party teacher gets the equivalent of 10 or 12 memberships and becomes not 1 person but 10 or 12 different people because she operates in 10 or 12 different organizations. That is where the intensity comes in. In other words, she is not just a member of the Communist Party. She brings into those organizations the same program, the same resolutions, whatever the party has decided upon, and it is very beautifully done. For instance, if they are going to support certain legislation they will bring this thing into 10 different organizations at 1 time and you have the feeling that this is a spontaneous merger of public feeling.

Mr. CLARDY. You mean one rotten apple can spoil a whole barrel of apples.

Dr. DODD. That is right.

Mr. VELDE. At this point we will declare a short recess.

(Whereupon, at 11:22 a. m., the hearing was recessed for 17 minutes.)

Mr. VELDE. The committee will be in order. Proceed Mr. Counsel.

Mr. KUNZIG. Dr. Dodd, could you give us in more detail and explain to the committee just what is meant by the party line and by the phrase "party discipline" which you mentioned earlier this morning?

Dr. DODD. We have to be able to distinguish between party strategy and party tactics. The strategy of the Communist movement is world domination of all peoples of the earth.

The party strategy in the United States is to make the United States a Soviet country. The question of how to reach that strategy, reach that objective, are the tactics and the tactics will change as the temper of the country changes.

If for instance the country is very violently anti-Communist, the tactics will change in order so that some people will even say that they are anti-Communists in the hope of pushing forward their ultimate objective. In a period in which the Soviet Union changes its foreign policy, as for instance during the time of the Stalin-Hitler pact, the tactics in the United States were different than they would be at a time when the United States was in alliance with the Soviet Union. The tactics should and are constantly being changed.

The strategy is always the same and the Communist does not lose sight of the fact that the strategy is the same. The ultimate objective is a Soviet world.

Mr. CLARDY. Mr. Chairman, may I ask a question?

Mr. VELDE. Yes.

Mr. CLARDY. That is what Lenin had in mind when he said if it was necessary to kill two-thirds of the people to save the other one-third for communism, he would go along with it.

Dr. DODD. I think that gives us an idea of how much in danger the peoples of the world are, not only spiritually and mentally but also physically. The peoples of the world are in dreadful danger because of this menace.

Mr. KUNZIG. Do you feel that there is a lack of understanding of the problem from your own experience and from your own knowledge as a member of the Communist Party?

Dr. DODD. Lack of understanding on the part of the American people?

Mr. KUNZIG. Yes.

Dr. DODD. I do not think the American people are aware of how deep this thing is; how all-pervasive it is; how it has permeated the very marrow of our bones; and how sometimes we do not recognize the party line. We have got to understand the basic philosophy of this thing.

Americans have got to stop thinking about the immediate issues of this thing and go to the fundamental thing. It is a movement for the destruction of the life of the human individual.

Mr. CLARDY. Isn't it perfectly apparent that a great many people in the country expect the Communist movement to, in effect, erect neon lights to call our attention to it whereas as a matter of fact the Communists do exactly the opposite, they conceal and attempt to prevent us from finding out.

Dr. DODD. I was told by Gil Green, chairman of the party in New York State, that if ever communism came to America it would not come under the Socialist label or the Communist label but it would come under a label palatable to the American people.

I said "What do you mean?"

He said "It might be liberty or democracy or something of that kind."

In other words, they will hide themselves under labels which the American people will think are their own.

Mr. CLARDY. They define everything they do as a liberal movement, something in a liberal direction.

Dr. DODD. They will use words with a definition which you and I do not use. For instance, they regard themselves as the most democratic. I was always told that the American form of democracy is only a limited democracy. The most perfect democracy is the democracy of the Communist movement and of the Soviet Union, so when they use the word "democracy" they are obviously not using the same terms that we are using. The word is the same but the meaning is different.

Mr. VELDE. There could be no question but what the membership, numerically, of the Communist Party in this country is going down. Mr. J. Edgar Hoover mentioned recently that there were only 25,000 Communist Party members in the United States where several years ago there were as many as 100,000 Communist Party members.

Do you believe, therefore, and this question has been asked of me both officially and unofficially, do you believe, therefore, that we are making progress? Is there any need to continue the fight? Is there any need for this committee, for instance, or any committee of Congress to continue the fight against communism because the numbers have been going down?

I am sure that some people, and especially those who have pro-Communist viewpoints, feel that 25,000 compared to 165 million people is so small that it is ineffective as a weapon to infiltrate us as a nation.

May we have your views on that point?

Dr. DODD. I think America is in greater danger now than it has been, and the reason for it is that the spreading of the Soviet imperialism has increased the strength of the Soviet bloc. It is the lure of success, the lure of the bandwagon. Nothing succeeds like success.

We used to have only the Soviet Union. Now you have 500 million Chinese and 100 million eastern Europeans under that. The fact that you only have 25,000 members in the Communist Party is not the significant thing, although it is important to reduce the actual number of people tied to them.

The Soviet Union, when Lenin landed in St. Petersburg, had only 23,000 members of the Communist Party. Yet, those 23,000 members, highly organized, highly centralized, well financed, were able to take over 180 million people of the Soviet Union.

The same thing was true in Italy for instance in 1941. I would say that at that time you did not have more than 15,000 party members in Italy. You now have a party of 2½ million, and the question arises as to what made it blossom out like that? Well, it is the strength of the Soviet Union, the increasing financial support which the Communist movements of the world are getting, and the fact that they are able to change their labels.

You are undoubtedly aware of the fact that in Guatemala you have four political parties, all of them controlled by the Communist movement but not carrying the Communist label.

So the 25,000 members here are only for the purpose of keeping the word "communism" alive, sort of an intellectual goal. But actually the number of people involved in pushing forward the Communist ideology is very great and I think it is not just a question of going after the individual party members but as this congressional committee has done and the others, showing the people of America what this pattern is so that they can protect themselves.

The fight is no longer around the individual members but it is a house-to-house fight and a street-to-street fight and a town-by-town fight.

What in our town is pushing forward this Communist movement, what in our street, what in our home? They are trying to pervert all of those divisions.

Mr. VELDE. This committee, since 1938 has, along with its regular duties to investigate subversive activities, another important ex officio duty and that is to inform the people as to what the Communist conspiracy actually is.

In light of that we have huge files. We have sent out millions of copies of pamphlets and reports of hearings and annual reports and so forth.

In line with that, would you say that the Un-American Activities Committee has made some contribution to the fighting of the Communist conspiracy? I am not trying to pat myself on the back because this committee began a long time before I was a member of it.

Dr. DODD. I was one of the committee who fought the Un-American Activities Committee very violently for many years. I fought it

because your committee was being very effective in disclosing things which we did not want disclosed.

Mr. CLARDY. May I ask a question, Mr. Chairman?

Mr. VELDE. Yes, Mr. Clardy.

Mr. CLARDY. As I gather from what you say, Dr. Dodd, you are emphatically of the opinion that despite outward appearances, as indicated by a numerical decline in the number of recognized Communists, the threat is greater than ever today.

Now would you say that is due largely to the fact that they have been able to enlist under their banner a great many people who do not even know they are fighting for the Communist cause and they have been able to whip up an almost hysterical feeling that this committee and other committees investigating it are deliberately setting out to destroy academic freedom, to destroy the civil rights guaranteed under the Constitution?

Wouldn't you say that they have succeeded and are becoming more dangerous simply because they have succeeded in selling a lot of good people totally false impressions and false ideas? Would you say that is a fact?

Dr. DODD. Yes; I think so. I think the Communist movement in America would have been smashed a long time ago if people in important positions—and I do not mean just politicians but I mean in our economic system, politically and in our cultural society did not give support and even financial support to this thing. It is not just a question of the small people.

Mr. CLARDY. The term "witch hunters" originated with the Communist Party. That is typical of what we all know. Those types of phrases are being spread broadcast by a good many good people. Would you not say that is one of the most effective ways of blocking the Communists too?

Dr. DODD. The Communist cause is highly geared to propaganda. They understand it even better than Dr. Goebbels did. Propaganda is the most effective weapon in the hands of the Communists in beclouding the minds of American citizens.

Mr. CLARDY. We ought to keep our eye on the ball, in other words.

Dr. DODD. The question of propaganda and the question of who is channelizing propaganda in America is something we should pay attention to.

Mr. CLARDY. The other day I read a statement by someone who said that the anti-Communist is more dangerous than the Communist. That is what I had in mind when I asked the question. That is promoting the line purely and simply.

Dr. DODD. Let me say this to you on the question of anticommunism: The Communists are not adverse to putting on a cloak of anticommunism if it serves their purposes in promoting the party line. They will smear all genuine anti-Communists and make them look like Fascists or benighted people.

Mr. KUNZIG. You have talked about the party line. How is the party line spread to the teachers? How would a teacher get the party line?

Dr. DODD. There is no such thing as a democratic arrival of opinion in the Communist Party. The party is geared and run by democratic centralism.

Mr. KUNZIG. Would you explain democratic centralism and how the part line is spread?

Dr. DODD. The dissemination of centralism and all programs originate from the top, from the national committee, people from overseas who work with the leaders of the national party. They set the line and once they formulate the line it is sent down to the national committee and sent down to the State committee and to the various counties and finally it reaches the smaller committees and the individual members. But those groups have only the power to accept. Because if anyone dared to challenge the basic line which had been sent to them from the top that person would be isolated and ousted from the party.

What they can do is to discuss how they will apply this decision which has been made on top in their own individual bailiwick.

For instance, if they are teachers and the line has come that we must now push the fight for mutual coexistence with the Soviet Union, trade with the Soviet Union, or the admission of Red China into the United Nations, the teachers take that line which came from the top and decide how they will promote it among the teachers, first among the Communist teachers and then among the union teachers, whatever unions they happen to be in, then among the mass of teachers and then among all other groups.

Mr. KUNZIG. Let us make a hypothetical case. Suppose you are Dr. Bella Dodd and let us assume just for the purpose of discussion that you are teaching history at Olney High School in this city. How would you, in your daily life, and remember you are a member of the Communist Party and you are interested in everything that has to do with the Communist way of life—how do you get the line? Who tells you? Where do you hear about it?

Dr. DODD. If I am a member of the Communist Party I may belong to a unit. If I am an ordinary teacher and not a leader, the unit meets maybe once or twice a month.

Mr. KUNZIG. With other teachers?

Dr. DODD. Yes.

Mr. KUNZIG. Where would those meetings be?

Dr. DODD. In someone's home, in some out-of-the-way place, and if someone should happen to come in that evening it would be a discussion group. They would change the program. That is, if someone came to the house.

Mr. KUNZIG. Accidentally?

Dr. DODD. Yes.

Mr. KUNZIG. But those who came to the real meeting held at such a private home, they would be Communists?

Dr. DODD. Yes, and there is a chairman of the unit who has already attended a meeting before this one and who has gotten his instructions from the county leader of the party or from the State-wide teachers' leader of the party. The organization will differ in different counties. He will either get his directions from the county party leader or someone in charge of the citywide teachers' group. They get it from the higher committee. There is a series of committees going up to the top.

When it comes down to the ordinary teachers to discuss the question, the problem, and answer questions, there is already literature ready to help assist them. The question is how can we spread it.

As an ordinary teacher I can spread it by going to my union meeting and seeing that a resolution is voted on.

Mr. KUNZIG. This might be a union not necessarily Communist-dominated.

Dr. DODD. That is right. As a teacher in my classroom, let us suppose the question is the admission of Red China into the United Nations. I have a bulletin board with clippings and I begin putting clippings on the bulletin board which are pro and if I put some against, I put more of those that are pro.

The children raise the question and I discuss it with them back and forth and with a show of impartiality and I weight the thing in favor of the line which I want adopted.

If I am teaching history it becomes logical. I take a question such as "When do we recognize a country which has changed its form of government?"

I show that there has been a legitimate effort after a certain period of time to recognize a de facto government. In other words, I show that as a normal course of relationships on international problems that we would recognize a country of that kind.

In other words, I try to make it as natural as possible for the students to accept the line I am promulgating, but I know what I am doing is promoting the ideas which I have.

Communism is the total philosophy of life and if you believe in it strongly you carry it into every phase of your life. It is like a religion, but most people have gotten lukewarm about their religion. If you are a real Communist or a real Jew or whatever you may be its basic philosophy will affect all your dealings with people.

So with communism; it affects all your thinking and dealings with people.

Mr. KUNZIG. You are trying to say that a Communist teacher who sincerely believes in this, has it as a religion, as you say, could not possibly not try to carry it into effect in daily life wherever he or she goes?

Dr. DODD. A Communist teacher is dedicated to seeing that communism is spread and that it becomes the successful form of government in their life and in everyone else's life.

Mr. KUNZIG. It has been said that a Communist teacher might have some effect in a history or a civics class or a geography class but that it does not make any difference whether a teacher is a teacher of art or woodworking or mathematics. What is your opinion about that? Can a teacher have some effect?

Dr. DODD. As I said before, we teach children and not subject matter. You not only see a child in the classroom in which you teach, you see him in your offclass period and in his group relationships.

The best Communist teacher I know was a mathematics teacher because the social studies heads weeded out the Communists. The mathematics teachers are not expected to have those opinions. They served on committees to select textbooks, for establishing curricula, for mass participation of the students in civic affairs. They use it in every way possible.

Mr. VELDE. Actually as far as classroom teaching and indoctrination in the classroom went, it had very little influence, I take it?

Dr. DODD. I don't know if you remember some of your own teachers but I remember the teacher who had taught me. For instance, the teacher who teaches arithmetic, just by general remarks and the things that they said after the hour was over, the effect of that was very great. We do not just teach arithmetic and then run out of the classroom.

Mr. CLARDY. Would you say that the point that you are trying to make applies with equal force to all professional people and for a still different reason, and that is that the people in the professions, the law, for example, occupy a little different position in the public mind so that their utterances on subjects other than that connected with their actual teaching or practice or whatever it is carries a little more weight and maybe a little more impact on the public awareness?

Dr. DODD. Certainly, the professional people are the molders of public opinion.

Mr. CLARDY. That is what I had in mind. You would say that this is a powerful weapon in the hands of the Communists if they can get hold of those people?

Dr. DODD. If the Communists didn't think the teachers were so important they would not have worked so hard to get us into it.

Mr. CLARDY. Isn't that one of their prime objectives?

Dr. DODD. It has been and is important. Teachers are an extremely important group to them.

Communist Party high-school teachers made a special effort during the war to keep in touch with their boys going into the Army. The reason was to give them an approach to the postwar peace program. The Communist teacher takes her responsibility very seriously.

Mr. CLARDY. This program you are talking about is applied with redoubled force in Russia itself, at least every one of us who studied it knows that. Hitler used the same ideas of seizing the minds of the youth.

Dr. DODD. All totalitarian governments are essentially the same in that respect, how the state can control the individual. Hitler was not as successful as the Communists have been in that respect, however.

Mr. CLARDY. And they are patient.

Dr. DODD. They have a long-range program and are looking to take hold of the minds of today's youth in the hope that when they grow to adulthood they will be in a position to take over.

As a matter of fact they are training the youth not for today but for the tomorrow which they expect will be a Soviet world.

Mr. VELDE. You mentioned that you fought nazism. I am sure that all loyal Americans did at that particular time, and now are fighting the Communist conspiracy.

Do you have any way of comparing the techniques of the Nazis with the techniques of the Communist Party and its attempt to get control of the minds of the youth?

Dr. DODD. The Communists are of course an older movement and they have a body of literature which the Nazis did not have. The Nazis came to power sort of suddenly and had to write their bibles and books on ideology very fast.

The Communist movement since 1848 has been permeating practically the entire world. Karl Marx was not only in Germany and England, but here in the United States. Some of the first meetings

of the Communist International were held in New York and Philadelphia.

Karl Marx wrote a weekly article on labor for the Herald Tribune in the 1860's.

From 1848 to 1953 is a long period of time. The one is really much more efficient than the other. The Nazis just kind of stole from the most obvious techniques that the Communists have.

The Nazis betrayed the individual man by the synthetic use of a mystical thing called the race. They said in the interest of a pure German race everyone was expendable who did not fit into their goal.

The Communists use another mystical thing. They teach a mystical thing called the proletariat, the race of proletariats, the industrial class will rule, and in the interests of that everything else is expendable, farmers, professional people. As a matter of fact, they make appeals to the youth and the minority national groups which they played havoc with.

I think you will find that the Nazi movement was nothing but a paper cardboard movement in comparison with that of communism as far as being an organized thing is concerned.

The Nazis, of course, in using the mystical thing called purity of the German race did violence to most of us Americans because we understand that there is no such thing as a pure race. We are a nation in America with strength because we have so many people, but practically all of us fall for the idea that we are part of the working class. When the Communists say all power to the working class, and 98 percent of us in America are the working class, therefore in the name of the mystical thing called the proletariat they destroy the working class.

Mr. CLARDY. Don't they say that the individual is as of nothing, that all that counts is the group, the body, and that in the end is the state, so that to them the killing off of millions is only one of the things that just necessarily must be done and the fact that the individual suffers a horrible fate doesn't affect them at all.

Dr. DODD. The peoples of the world are not only in danger spiritually and mentally, but they are in physical danger of annihilation.

I was not aware of that when I was a member of the Communist Party. I would like to read to you from this book published in 1949 called *The Twilight of World Capitalism* by William Z. Foster.

On page 150 he says, "Communism is inevitable in America."

He dedicates it to his grandson who will live in a Communist America.

Under the chapter entitled "The Advent of Socialist Man" on page 150 of his book, William Z. Foster has the following to say:

Man will free himself, under socialism, from the burden of weakness and disease that has nursed him for so long and which is such a distressing feature of present-day society.

Man, too, for the first time disregarding foolish religious taboos, will boldly solve the population problems, both in respect to the size of his own individual family and that of the number of people in the nations generally.

How do they expect to solve the problem of population in the nations generally? How are they going to solve the problem of 500,000,000 Chinese and 300,000,000 people in India and one-hundred-and-fifty-some-odd million people in America?

He goes on to say:

The vital matter of the evolution of mankind is not one that can any longer be left to chance, especially a capitalist society is now having such a negative effect on the development of the species. The law of natural selection, which built the marvelous complexities of plant and animal species, no longer can work spontaneously. Now the evolution of the human species must be done artificially, by the conscious action of man himself.

Mr. CLARDY. That is what they meant when they said killing off 100 million people would be a good thing.

Dr. DODD. There is no doubt in my mind that this is a program for reorganizing and rebuilding mankind, according to their own peculiar pattern.

Mr. KUNZIG. We hear a lot of discussion today specifically about academic freedom and respecting academic freedom. Of course everyone wants to respect academic freedom. My question to you is: Does the Communist Party have any respect for academic freedom?

Dr. DODD. The Communist Party doesn't know what academic freedom means. If a person criticizes the party or raises a question, that person is suspect. It is academic freedom for the Communists to say what they want to say, but not academic freedom for anyone else.

Maybe you will remember the professors who raised some question of linguistics and genetics. Those men have disappeared from the intellectual and cultural life of Russia. And we are aware of the fact that many of the finest scientists and finest linguistic professors have been unwilling to accept chairs of learning in Russia because of the professor who disagreed with Stalin on what should be done with languages and what should be done with genetics.

Mr. KUNZIG. What would this mathematics teacher we were talking about a little while ago and who comes to the meetings two times a month or so, what position would she be in if she disagreed with the line handed her from above?

Dr. DODD. First, they would try to cajole and convince her that she was wrong.

Mr. KUNZIG. Who would try?

Dr. DODD. The other party members in the union and the leader of the union, and if she still persisted they would probably bring in the county leader of the Communist Party to talk with her.

But if she persisted in it, the next thing would be to expose her and expel her from the party. Sometimes that expulsion is very violent. Sometimes it isn't. The more important the teacher the more violent the expulsion. They wouldn't worry about whether she lost her job or reputation and wouldn't worry about charges. I have seen charges discussed against people which were just brutal.

Mr. KUNZIG. You mean discussed by members of the Communist Party?

Dr. DODD. Discussed by the control commission, the disciplinary commission.

Mr. KUNZIG. Do you know whether the Communist Party has its own security system, its own detectives, its own shall we say spy apparatus to see that Communist members in key positions are not double-crossing the party?

Dr. DODD. The party functions with its own security apparatus at all levels, practically.

Mr. KUNZIG. Will you describe that, please?

Dr. DODD. When I was in the Teachers' Union I was one of the official leaders of the Teachers' Union. Yet the party placed, as secretary to the Union or as the office manager, someone who was in the employ of the party apparatus. I never knew that she was a member of the Communist Party. I never knew that she was getting instructions and yet I was a member of the party also.

In other words, they set one person to spy on the other.

Also from the point of view of security I happen to know the person in the New York district who was in charge of setting up the Communist Party security apparatus. It is a government within a government. They have their own court system whereby a person violating the Communist Party code is brought for trial and punishment is meted out to him just as it would be in an open court, only this is a private court. This is the emergence of the new type of Soviet government which they expect will some day take over.

Mr. KUNZIG. Were you personally ever called before one of these control commissions?

Dr. DODD. During the period from 1945 to 1947 I was called before the control commission three times.

Mr. KUNZIG. Would you describe that, please, as to what happened?

Dr. DODD. Of course, since I was a person they were a little bit afraid of because they were afraid to admit anyone really breaks with the party and because I was speaking in terms of really, being very upset by the things that were going on, they tried not to provoke me, but they called me on the carpet for something I had said in a unit meeting. I said something about the new Cominform one night. The next day I was before the control commission. They wanted to know what I meant by it.

Another time they tried to inquire into certain personal affairs, and each time I was not cleared but was told to come to a meeting at a certain hour and I was made to wait until I was psychologically conditioned and disturbed, and a lot of questions were asked of me. No decision was made while I was there but I daresay that the decision was reported to people higher up and those three hearings probably ultimately brought to the conclusion my final expulsion from the Communist Party.

Mr. KUNZIG. I imagine, Dr. Dodd, that you have had the same experience getting out of the party. You stated that getting into the party can be a gradual process and I imagine that leaving the party must be in some way a gradual process of becoming disillusioned.

Dr. DODD. Leaving the party can be as a result of not paying dues. As a matter of fact, it took me years to eradicate some of the beliefs that I had because your whole philosophy of life becomes changed. Your attitude toward art and movies, your attitude toward friends and your family and your country is different. That is very basic. It had to change from the time you leave the party until the time you become an American citizen again. My whole attitude toward my country while I was in the party was that my country was run by a group of people who were very interested in profits and were selfish and the only thing that would save this country would be the establishment of a Communist society. Therefore it is only in the light of losing my belief in the Communist objectives which I now realize are fraudulent and are propaganda that you begin to realize what a

great value we have in the great Constitution of ours and the Bill of Rights and the rights which our people have achieved over the centuries which the Communists would topple over indiscriminately.

Sometimes that knowledge comes too late. In my case I thank God it came within time.

Mr. KUNZIG. May I ask you, within your own knowledge do you feel that when you were a teacher you did influence students along the Communist line?

Dr. DODD. I would have been a very bad Communist if I did not. I certainly influenced students. I taught economics.

Mr. KUNZIG. Where was this?

Dr. DODD. At Hunter College. I taught from 1926 to 1938 and taught many generations of freshmen. I hope I am undoing some of the things I did at that time. There is no doubt in my mind I taught a whole generation of students. Maybe I did not influence them enough so that they joined the Communist Party but I taught some of them to be disposed to accept the whole philosophy of the Communist Party.

It always seemed so attractive because I was helping them to solve the problems of the people, the immediate problems in the framework that the Communists wanted us to present to the people.

Mr. CLARDY. You helped to undermine, I take it, the natural inclination of the average American to be a good, religious sort of person? You undermined that more or less by the subtle methods that you described?

Dr. DODD. There is no doubt about the fact that atheism is part of the web and woof of communism and your general attitude is that since there is no God it is up to man himself to solve his problems. They place all the emphasis upon the fact that man must solve the problems by himself.

Mr. CLARDY. Wouldn't you say that the gravest threat that a Communist teacher may impose is that he undermines man's faith in his God and in his religion?

Dr. DODD. That is fundamental to the entire Communist conspiracy.

Mr. KUNZIG. Dr. Dodd, teachers then obviously play an important part in the Communist scheme of things. I would like to ask you whether teachers, intellectuals, are on the key positions, whether they play an important part in the higher realms or higher control? Does the party want top-ranking intellectuals in positions of control?

Dr. DODD. The Communists need teachers and intellectuals to fill the jobs which have to be handled by the Communists. They need them as experts in the field of labor, law, science, education, and so forth. The intellectuals are really important to them in order to create the leadership of the proletariat group. You may say "But I thought the Communist Party was a workers' movement."

Well, that is the propaganda. That is the slogan, but actually it is the educated, the intellectuals, who were used in top positions for influencing the mind of the country. Behind the scenes they may have some power people from the international movement, but the people who promote the conspiracy are those who are put in key positions. The professors, the intellectuals, are in a better financial position to help the party.

Hollywood for a long time was a tremendous source of revenue for the Communist Party.

Some of the doctors that we have in the Communist Party, doctors, dentists are a tremendous source of financing of the party.

Mr. CLARDY. That is still true today, isn't it?

Dr. DODD. It was when I last had contact with the party. I do not profess to know that today.

Mr. KUNZIG. In your personal knowledge were Communist teachers urged to get into unions and to attempt to gain control?

Dr. DODD. It was the function of every teacher to join a union, and particularly the union which the party told them to join. There was a choice of two. The party might decide to send people into both unions but it might instruct certain special professors to have nothing to do with the Red union in order to preserve them for greater service to the party.

Mr. KUNZIG. At this point I should like to read into the record some quotes from a publication called the Communist, a theoretical magazine of the Communist Party. This is an article written in 1937 at the time the Teachers' Union was at its peak, an article called the Schools Are the People's Front. This article was written by Richard Frank and some of the sentences I think confirm exactly what the witness has said this morning. I am now quoting from this magazine of the Communist Party as follows:

That which is most immediately apparent to anyone who studies public education must be the fact that the public-school system is part of the state machinery, and the function of the state machinery being to subjugate the proletarian and the toiling masses in general to the rule of the bourgeoisie, the role of the public-school system cannot be isolated from this general function of the capitalist state.

Now on the next page of his article Frank says as follows:

Because of the economic hardships of their home life, the majority of the children develop a feeling of hatred for the bourgeois public-school system. This hatred develops that spirit of rebelliousness which is to be found in every public-school room.

The rebelliousness of the school children directed against a part of the state machinery itself is something that Communists cannot afford to ignore. This, together with their desire for knowledge and social life, must form the starting point for our work among the students in the schools. The problem is rather how to guide and direct that spirit of rebelliousness which already exists.

Then he goes on to make certain recommendations with respect to getting the students into the Young Communist League, and he has this to say:

The Young Communist League must endeavor to raise the spirit of rebellion found among school children to a level of higher consciousness by educating the students on the basis of their own experience to a realization of the class basis for the oppressive nature of the schools and to a realization of how the school system under a workers' and farmers' government would deal with the immediate problems of the majority of students, imparting to them, with the utmost solicitude for their own interests, that warm and friendly culture of their own class.

And finally he says this:

The task of the Communist Party must be first and foremost to arouse the teachers to class consciousness and to organize them into the union.

Communist teachers are therefore faced with a tremendous social responsibility. They must consider not merely their own teaching problems, but the problems of the children. They must take advantage of their position without exposing themselves, to give their students, to the best of their ability, the working-class education.

Do those quotations fit in with your personal knowledge of the situation, Dr. Dodd?

Dr. DODD. Yes; that was the approach. The schools were to be instrumentalities of the class struggle and they were to train the young students in school as to what the class struggle was and to make him feel emotionally that he belonged with the working class in that class struggle, and I might say that this man who wrote the article whom I knew quite well was later taken to task because he had been too frank in stating this thing because it caused a little bit of embarrassment, not because he was wrong but because he was too frank.

Mr. KUNZIG. I want to emphasize once more for the record the conclusions heard this morning are those of one who was a Communist teacher because you worked in this movement personally and therefore the testimony you have given so ably this morning is from your own personal knowledge.

Dr. DODD. Yes.

Mr. KUNZIG. Mr. Chairman, as you know, we have vitally important executive testimony from Dr. Dodd and others given to us in executive session going into greater and more specific detail on the subject. But that of course is for the committee and remains in executive session.

I have no further questions.

Mr. VELDE. Mr. Clardy, do you have any further questions?

Mr. CLARDY. I have no questions, but I think there is one thing that perhaps we ought to emphasize, something that Dr. Dodd said at the outset, that the percentage of teachers who have been infected with this virus is relatively small.

Would you not agree with me that in all probability the percentage is at least as low if not lower than that for example in my own profession of the law or any of the others?

Dr. DODD. Certainly. I think the teachers of America, once they catch on to the meaning of this conspiracy, are going to be the great leaders in protecting America.

Mr. CLARDY. You are not in any way attempting to indict the teaching profession or any other profession in the United States. You are merely pointing out the pitfalls and the danger and the possibilities?

Dr. DODD. The American teachers have had a great role in the history of America and they will again. I think that some of them mistakenly think they have to protect this conspiracy. Once they realize that this is a conspiracy which will destroy the schools as we have known them in the history of America, I think the American schoolteachers will come to the defense of their country.

Mr. CLARDY. Would you not agree that while this committee has a proper duty and function in exposing the machinations of the Communist Party and letting people see how it functions and what it will do to them, would you say that the real battle against communism has got to be carried on in two fronts, one in the school and the other in the churches?

Dr. DODD. That is right. Those two are very important and I think also on the industry front. I think that it is very important that our economic system become aware of this.

Mr. CLARDY. I appreciate that but the group that is going to carry the message are the others because this is, after all, a battle for the

minds of man. Wouldn't you say that those two groups are the ones that are really going to have to carry the real burden in this fight?

Dr. DODD. Plus the home, the fathers, and the mothers. Build good, strong homes, and this thing won't affect us.

Mr. CLARDY. At least you will agree with me that they are important?

Dr. DODD. I certainly do.

Mr. CLARDY. Thank you.

Mr. VELDE. Mr. Walter, do you have any questions?

Mr. WALTER. I have no questions.

Mr. VELDE. I have no questions, either, Dr. Dodd, but I would like to say this, that the committee, and I am sure loyal American people everywhere appreciate the dignified and sincere and learned manner in which you have outlined the Communist conspiracy, with emphasis on the conspiracy in the field of education.

We know it is an ordeal for you to appear and give the information which you have and we are aware of the struggle which you had within your own conscience in getting into the Communist Party and getting out, and we want you to know that we as a committee of Congress appreciate the efforts you have been making in the past and the efforts we know you will make in the future to make America secure and safe from the Communist conspiracy.

The committee will stand in adjournment until 2 o'clock this afternoon.

(Whereupon, at 12:32 p. m., the subcommittee adjourned until 2:09 p. m., the same day.)

AFTERNOON SESSION

(At the hour of 2:09 p. m., of the same day, the proceedings were resumed, the following committee members being present: Representatives Harold H. Velde (chairman), Kit Clardy, and Francis E. Walter.)

Mr. VELDE. The subcommittee will be in order. Mr. Counsel, will you call your first witness this afternoon?

Mr. KUNZIG. Will Mr. Harry Fruit please step forward?

Do you have counsel with you, Mr. Fruit?

Mr. McCABE. I am counsel for Mr. Fruit.

Mr. KUNZIG. Will you please state your name for the record?

Mr. McCABE. Louis F. McCabe.

Mr. KUNZIG. Would you please step forward too, Mr. Fruit?

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FRUIT. I do.

TESTIMONY OF HARRY FRUIT, ACCOMPANIED BY HIS COUNSEL, LOUIS F. McCABE

Mr. KUNZIG. Would you give your full name, Mr. Fruit?

Mr. FRUIT. My name is Harry Fruit.

Mr. KUNZIG. That is F-r-u-i-t?

Mr. FRUIT. Yes.

Mr. KUNZIG. What is your address, Mr. Fruit?

Mr. FRUIT. 7134 Horrocks Street, Philadelphia, Pa.

Mr. KUNZIG. I see that you are accompanied by counsel. Would counsel please state his name and address for the record?

Mr. McCABE. Louis F. McCabe, 1218 Chestnut Street, Philadelphia.

Mr. KUNZIG. Mr. Fruit, could you please give the committee a résumé of your educational background?

Mr. FRUIT. Yes. I was graduated from Central High School in Philadelphia and also from the University of Pennsylvania, from which I received the bachelor of science degree in education, and the following year a master of arts degree.

Mr. KUNZIG. What year did you receive the master of arts degree?

Mr. FRUIT. In 1935, I believe.

Mr. KUNZIG. Did that complete your formal education?

Mr. FRUIT. No; I spent a year in graduate work at the university also.

Mr. KUNZIG. Could you give the committee a résumé of your employment background?

Mr. FRUIT. I was appointed to the public school system in 1936 where I worked since that time, first in junior high school and then in senior high school.

Mr. KUNZIG. Where are you employed now?

Mr. FRUIT. I am now employed at Germantown High School.

Mr. KUNZIG. In Philadelphia?

Mr. FRUIT. That is right.

Mr. KUNZIG. What subject do you teach there?

Mr. FRUIT. Mathematics.

Mr. KUNZIG. Mr. Fruit, are you now a member of the Communist Party?

Mr. FRUIT. No; I am not.

Mr. KUNZIG. Mr. Fruit, have you ever been a member of the Communist Party?

(At this point Mr. Fruit conferred with Mr. McCabe.)

Mr. FRUIT. I submit, Mr. Kunzig, that an answer to that question may forge some link in a chain of evidence that may tend to induce some Federal authority to institute proceedings against me, and on that basis I do not wish to answer the question.

Mr. KUNZIG. Are you refusing on the ground of the fifth amendment?

Mr. FRUIT. I am refusing on the ground of the fifth amendment.

Mr. KUNZIG. You are refusing because your answer might tend to incriminate you?

Mr. FRUIT. The answer may lead to some chain of inquiry that might do that; yes, sir.

Mr. KUNZIG. I wish to ask you this question, Mr. Fruit; were you ever an official of the Communist Party here in Philadelphia?

Mr. FRUIT. I am requesting the same privilege. I invoke the same privilege.

Mr. KUNZIG. You refuse to answer on the same ground?

Mr. FRUIT. Yes.

Mr. KUNZIG. Isn't it a fact that you were secretary of the West Philadelphia Club, section 8, of the Communist Party?

Mr. FRUIT. I refuse to answer on the same grounds, sir.

Mr. KUNZIG. This was in the year 1945. Did you ever have a membership card in the Communist Party?

Mr. FRUIT. I refuse to answer on the same grounds, Mr. Kunzig.

Mr. KUNZIG. Isn't it a fact, Mr. Fruit, that you had, in 1944, membership card No. 78347, and that in 1945 you had membership card 87642 in the Communist Party in Philadelphia?

Mr. FRUIT. I refuse to answer on the same ground.

Mr. KUNZIG. To go on, Mr. Fruit, this committee has sworn testimony under oath to the effect that you were in 1945 secretary of the West Philadelphia Club, section 8, of the Communist Party, and that in 1944 you had membership card No. 78347 and in 1945 membership card 87642.

Are we correct in that information, or do you wish to decline to answer on the grounds of the fifth amendment?

Mr. FRUIT. I refuse to answer on the same ground.

Mr. KUNZIG. Were you ever involved in an organization called Crusaders for Peace?

(At this point Mr. Fruit conferred with Mr. McCabe.)

Mr. FRUIT. I will refuse to answer that question also on the same ground.

Mr. KUNZIG. Did you ever know a Sidney and Genieve Fox, husband and wife?

Mr. FRUIT. I shall refuse to answer that question on the same grounds.

Mr. KUNZIG. Did you ever attend Communist Party meetings held at the home of the Foxes here in Philadelphia?

Mr. FRUIT. I refuse to answer on the same ground.

Mr. KUNZIG. Mr. Chairman, the committee is in possession of sworn testimony that these meetings took place and that the witness attended these meetings.

Sidney Fox was a Philadelphia teacher at Benjamin Franklin High School. He resigned, interestingly enough, the day before the Pennsylvania Loyalty Act went into effect.

Have you been active in the Teachers' Union here in Philadelphia, Mr. Fruit?

(At this point Mr. Fruit conferred with Mr. McCabe.)

Mr. KUNZIG. I mean the group that used to be local No. 192 and later became local No. 556 and is now known as the Teachers' Union of Philadelphia with its total of some 197 members. This group has headquarters at 13 South 21st Street in Philadelphia.

Mr. FRUIT. Mr. Chairman, in view of the nature of the preceding questions that have been put to me and the attendant publicity regarding it, appearing in the newspapers and so forth, I am going to invoke the same privilege with regard to the Teachers' Union as well.

Mr. CLARDY. You are not referring to publicity that mentions you by name, I take it?

Mr. FRUIT. No.

Mr. CLARDY. The reason I say that is that we have released no information and it is our policy never to identify those who have been subpoenaed and those who are under investigation and who may possibly appear under subpoena, and I want to be sure that you are not implying that we had in any way released any unfavorable publicity?

Mr. FRUIT. Not as an individual, but simply as a member of a group.

Mr. CLARDY. I wanted to be certain on the specific point.

Mr. KUNZIG. I think it is obvious that the witness is not going to answer any questions concerning his background in this field and I respectfully submit that I have no further questions to go into at this time.

Mr. CLARDY. Witness, you said, and I am not challenging at all, that you are not today a member of the Communist Party. Would you give us the date when you severed any connection with it?

(At this point Mr. Fruit conferred with Mr. McCabe.)

Mr. FRUIT. Mr. Clardy, it is obvious that in answering any such question I would be giving you the sort of information that I have not been wanting to, and therefore I am going to invoke the same privilege.

Mr. CLARDY. Let us get at it this way then; were you a member of the Communist Party prior to the time that a subpoena was served upon you by this committee?

(At this point Mr. Fruit conferred with Mr. McCabe.)

Mr. FRUIT. I will decline to answer that question.

Mr. CLARDY. Were you a member of the Communist Party yesterday?

Mr. FRUIT. No; I was not.

Mr. CLARDY. Were you a month ago today?

Mr. FRUIT. Mr. Clardy, I signed a loyalty oath in good faith.

Mr. CLARDY. When?

Mr. FRUIT. I believe it was in 1952.

Mr. CLARDY. Well then, is it fair to say that at the time you signed the loyalty oath you were not then a member of the party?

Mr. FRUIT. That is true.

Mr. CLARDY. Were you a member of the party within, say, 6 months prior to the date you signed that loyalty oath?

Mr. FRUIT. I will have to invoke the privilege on that.

Mr. CLARDY. Will you come down to one day before you signed the loyalty oath and tell us whether you were a member one day before you signed the loyalty oath?

Mr. FRUIT. I am invoking the privilege on that as well.

Mr. CLARDY. We are trying merely to discover when the period started that you were definitely not a member, and that is our chief concern.

Mr. FRUIT. You are assuming from my answers to your questions that I was a member, and that is your own assumption. I simply have refused to answer questions pertaining to that, and therefore you may draw your own conclusions.

Mr. CLARDY. Well, we have obviously sworn testimony dealing with that subject and have asked you those questions and I am trying my best to find out how long for certain you have not been a member. If you are not willing to give us any more information, then there is no need, of course, of our pursuing this, but I gather you do not want us to go into your background in that connection at all?

Mr. FRUIT. I will invoke the same privilege on any such question.

Mr. VELDE. Do you have any further questions, Mr. Clardy?

Mr. CLARDY. No further questions.

Mr. VELDE. Mr. Walter?

Mr. WALTER. No questions.

Mr. VELDE. I have no questions. We had been hopeful that you would come before this committee and give us information relating to Communist activities in this area. You have heard the witness this morning and I am sure you realize and I am sure I realize how difficult it is to break away from the ideology or the belief that you formerly had.

I personally would appreciate it very much, and I am sure the committee would, too, if you would think this matter over in your own mind and, if at some future date you do decide to come forth and answer the questions that are asked of you relative to the Communist Party activities, it would be a great thing for the Congress of the United States and the people of this country to aid in fighting the Communist conspiracy.

The witness is excused.

Call your next witness, Mr. Counsel.

Mr. KUNZIG. I call Mr. Louis Ivens.

Mr. LEVITAN. My name is A. Harry Levitan. My client has certain objections with respect to the lights and the loudspeaker.

Mr. VELDE. You will abide by the rules of this committee and of course you are not allowed to speak before the committee.

Mr. LEVITAN. The unfortunate thing is that if I leave it to my client to make this application, my client is proceeding—

Mr. CLARDY. Counsel, you are out of order. Will you remain seated until you are addressed.

Mr. LEVITAN. My client is—

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. IVENS. I do.

TESTIMONY OF LOUIS IVENS, ACCOMPANIED BY HIS COUNSEL, A. HARRY LEVITAN

Mr. KUNZIG. Would you state your full name?

Mr. IVENS. May I make my objection? I am very willing to testify before this committee. However, television and broadcasting and newsreel cameras upset me and make it impossible for me to answer your questions in a truthful, calm, considered manner. I therefore request that these things be turned off during my testimony.

Mr. VELDE. It has been the rule that where a witness has refused to testify under the lights of the television and the lights of the newsreel cameras because it would confuse him, that those lights be turned off. The television and newsreel camera lights will now be turned off, please.

Do you have any further objections?

Mr. IVENS. No broadcasting.

Mr. CLARDY. It has never been the rule, Mr. Chairman, that I know of that the witness can raise that objection and I think that is going a little too far.

Mr. VELDE. I think that we must now go ahead because it has been the policy of the committee to allow broadcasting.

Mr. LEVITAN. Will the committee hear me, sir?

Mr. VELDE. No; we cannot hear counsel. You know the rules of the committee that allow you to appear with your client and give you the right to give him your legal opinion on his constitutional rights.

Mr. CLARDY. Am I right, counsel, that copies of the rules of the committee were served upon the attorneys representing the defendants in every case.

Mr. KUNZIG. They were supposed to be served on everyone. I did not serve them personally. They were served upon the witness.

Mr. CLARDY. I had understood someone to say that the attorneys had also been given copies.

Mr. KUNZIG. Would you state your full name?

Mr. IVENS. Louis Ivens.

Mr. LEVITAN. Will you forgive me while I consult with him with reference to his wishes regarding broadcasting?

Mr. KUNZIG. Yes.

Mr. IVENS. I request that no pictures of any kind be taken. I do not want any flashes in my eyes while I am testifying.

Mr. KUNZIG. Would you state your home address, please?

Mr. IVENS. 5314 Lebanon Avenue in this city.

Mr. KUNZIG. You are a teacher where, sir?

Mr. IVENS. At the Stetson Junior High School.

Mr. KUNZIG. What do you teach there?

Mr. IVENS. Social studies.

Mr. KUNZIG. Would you give the committee a brief résumé of your educational background?

Mr. IVENS. I graduated in this city from Northeast High School with highest honors throughout my high school career. I was an excellent student.

I went to Temple University where I received my bachelor of science in education.

Mr. KUNZIG. What year did you graduate from Temple?

Mr. IVENS. In February 1949 and at that time, upon taking necessary examinations, I was employed by the school district of Philadelphia.

Mr. KUNZIG. Have you been employed there ever since?

Mr. IVENS. Yes.

Mr. KUNZIG. Now, Mr. Ivens, in giving the committee a résumé of your employment background, it has been the school system of Philadelphia the entire time?

Mr. IVENS. Yes.

Mr. KUNZIG. When you were at Temple University, were you a member of the Temple Club of the Communist Party of eastern Pennsylvania and Delaware?

Mr. IVENS. I would like to answer that question in this way; first, under the first amendment I do not think that this committee should inquire into my private associations. I think, according to the first amendment of the Constitution and as to my own understanding, freedom of association has long been an American tradition. It has been one of the cornerstones of our liberty and freedom, and I feel that I should not answer questions about my past associations, my private associations, my beliefs, or my thoughts during that period.

(At this point Mr. Ivens conferred with Mr. Levitan.)

Mr. IVENS. And also in addition to that I would also refuse to answer that question by invoking the fifth amendment. I do not intend to answer any questions which might tend to incriminate me.

Mr. CLARDY. Do you think they would?

Mr. IVENS. Sir, I have answered the question.

Mr. CLARDY. Do you think it would incriminate you to answer questions regarding your past Communist Party activities?

Mr. IVENS. I have invoked the fifth amendment. I do not intend to answer questions which might tend to incriminate me.

Mr. CLARDY. And you are invoking it in refusing to answer the question which I just propounded?

Mr. IVENS. That is correct.

Mr. KUNZIG. Would counsel please identify himself?

Mr. LEVITAN. My name is A. Harry Levitan, 1412 Fox Building, Philadelphia 3, Pa.

Mr. KUNZIG. This committee is in possession of sworn testimony that you were a member of Temple Club of the Communist Party of eastern Pennsylvania and Delaware.

The committee is also in possession of sworn testimony that in July of 1947 you held the position of district press director of the Communist Party of eastern Pennsylvania and Delaware; is that correct?

Mr. IVENS. Sir, if you have sworn testimony then I believe the committee should present it with the people who have signed it.

Mr. KUNZIG. I have asked you the question, Were you the district press director of the Communist Party of eastern Pennsylvania and Delaware in July 1947?

Mr. IVENS. Sir, I would again like to request that you bring those people here so that I can ask them questions.

Mr. CLARDY. Mr. Chairman, I ask that the witness be directed to answer the question.

Mr. VELDE. Yes, you are directed to answer the question.

Mr. IVENS. I refuse to answer the question for the same reason.

Mr. KUNZIG. The committee has sworn testimony that in 1948 you were a member of section 6 of the Communist Party of eastern Pennsylvania and Delaware; is that correct?

Mr. IVENS. I would like to repeat again concerning sworn testimony that it be presented, showing those who have signed it and that they be presented before the public here.

Mr. CLARDY. I ask again that he be directed to answer the question, Mr. Chairman.

Mr. VELDE. You are directed to answer the question.

Mr. IVENS. I invoke the fifth amendment and also in relation to the first amendment I would like to say once again that it has always been my belief that the committee should not inquire into the personal beliefs or political opinions or ideas or associations of American citizens, and I maintain that position at this time.

Mr. VELDE. May I explain to you the duty that is imposed upon us by the House of Representatives, that is to investigate and determine the facts concerning Communist and other subversive propaganda in the United States, whether it be of foreign or domestic origin, to report the information we so obtain to the House of Representatives for the purposes of remedial legislation to prevent the destruction of our American constitutional form of government by the Soviet Union or any other foreign country.

You were called here as a witness to assist us in the work that we are trying to do. You could have been of great benefit, I am sure. You are the witness today, and what you have to tell us is a matter of your own choosing. If you do not want to tell us you will be allowed

to continue answering or refusing to answer on the grounds of the fifth amendment or any other amendment you so choose.

The committee would deeply appreciate it if you would consider our request to give this information concerning Communist Party activities in this area.

Mr. IVENS. May I make a point, please? I am not a Communist.

Mr. CLARDY. Have you ever been one?

Mr. IVENS. May I finish my statement?

Mr. CLARDY. No. Just answer that question. Have you ever been one?

Mr. IVENS. I refuse to answer that question for the same reason.

But I would like to finish a statement in respect to the chairman's words a few moments ago.

I stated I was not a Communist. A couple of years ago I also signed the loyalty oath of Pennsylvania.

Mr. WALTER. When?

Mr. IVENS. In 1952, affirming the fact——

Mr. VELDE. Were you a Communist at that time?

Mr. IVENS. When I signed that oath I affirmed that I was a loyal citizen of my State and this Commonwealth and of the country, and I say it again today.

I would like to say that if the committee has evidence or sworn testimony that I have propagandized subversively that it put this evidence forth, that it present it.

Mr. VELDE. Please answer the questions being propounded to you. You are the one who has the knowledge of any Communist Party activities in which you might have been engaged. You are the proper one to give us that information. Proceed.

Mr. CLARDY. The committee has from the beginning recognized the right of witnesses to object and refuse to answer on the ground of the fifth amendment when it is raised in good faith and when it can be demonstrated that that is the fact, but under court decisions and under our rules and in order to avoid repetition, we do not recognize validity in any other amendments applying to refusing to answer. So, if you say you are refusing to answer on the same grounds previously raised—but we recognize only the fifth amendment in that respect.

Mr. KUNZIG. Were you a member of the Communist Party when you signed the Pennsylvania loyalty oath?

(At this point Mr. Ivens conferred with Mr. Levitan.)

Mr. IVENS. I refuse to answer that question on the grounds of the fifth amendment.

Mr. LEVITAN. Would you mind repeating the question, please, sir?

Mr. KUNZIG. Were you a member of the Communist Party at the time you signed the Pennsylvania loyalty oath?

(At this point Mr. Ivens conferred with Mr. Levitan.)

Mr. IVENS. No.

Mr. KUNZIG. Were you a member of the party the day before?

(At this point Mr. Ivens conferred with Mr. Levitan.)

Mr. IVENS. No.

Mr. KUNZIG. A month before?

(At this point Mr. Ivens conferred with Mr. Levitan.)

Mr. IVENS. No.

Mr. KUNZIG. A year before?

(At this point Mr. Ivens conferred with Mr. Levitan.)

Mr. IVENS. No.

Mr. KUNZIG. Two years before?

(At this point Mr. Ivens conferred with Mr. Levitan.)

Mr. IVENS. I invoke the privilege, sir.

Mr. KUNZIG. During the years 1945 to 1948, were you a member of the American Youth for Democracy?

Mr. IVENS. I refuse to answer that question on the basis of the fifth amendment, and I would also like to reiterate and emphasize that I feel that the first amendment, although I disagree with the member of the committee, that the first amendment must not be denied. I think it is essential in this hearing.

Mr. VELDE. You do invoke the first- and fifth-amendment privileges?

Mr. IVENS. Yes.

Mr. VELDE. We have had these harangues before your appearance today and while we would like to give the witness every privilege we get a little tired and weary of all these excuses. I am sure we can facilitate matters and hear the other witnesses we have called if you will just either answer the question or refuse to answer the question.

Mr. IVENS. I do not mean to differ with you so far as your position as chairman of the committee is concerned, but I object to your term "harangue." I am not here to harass, but I believe as a social studies teacher the Bill of Rights is essential. I am not haranguing, I would like to emphasize.

Mr. KUNZIG. The American Youth for Democracy has been cited as subversive and Communist by Attorney General Tom Clark in letters to Loyalty Review Board released December 4, 1947, and September 21, 1948.

It was also cited as the new name under which the Young Communist League operates and which also largely absorbed the American Youth Congress in the Special Committee on Un-American Activities, report, March 29, 1944, page 102, and other congressional committees.

The committee is in possession of certain sworn testimony that the witness was a member of the American Youth for Democracy from 1945 to 1948.

Mr. WALTER. Is that a fact?

Mr. IVENS. Sir?

Mr. WALTER. Is it a fact that you were a member of that organization during that period of time?

Mr. IVENS. I refuse to answer that question on the basis of the fifth amendment unless testimony is brought in, sworn to, signed by the individual, and the testimony shown and presented.

Mr. CLARDY. Would you answer if that is done?

Mr. LEVITAN. One moment, please.

(At this point Mr. Ivens conferred with Mr. Levitan.)

Mr. CLARDY. What is your answer?

Mr. IVENS. I would not answer the question for the reasons stated before, but I think as a part of the American tradition of law I think a person accused of any sort of thing should be confronted with his accuser with a sworn statement.

Mr. VELDE. Let me disabuse your mind that you are being accused of anything. You were called here to give us some information relative to Communist activities in the Philadelphia area. This is not a

court of law. You are not being accused of a thing. This is a congressional committee, directed by the Congress of the United States, to gather information, to report to Congress for the purposes of remedial legislation, and it is not a court of law in any sense of the word.

Mr. CLARDY. Bear this in mind, we are giving you an opportunity to state the facts as you see them, even though you have seen fit to suppress the television and tried to suppress the radio and other means of communication. We are giving you your opportunity before anyone testifies publicly concerning you. You have not chosen to avail yourself of it. I am indeed sorry and I am amazed that you do not understand why we are doing this instead of bringing someone to name you first.

Mr. KUNZIG. May I continue?

Mr. VELDE. Yes.

Mr. KUNZIG. Mr. Ivens, on July 8, 1947, did you attend a Communist Party street meeting at American and Poplar Streets in Philadelphia where you were one of the principal speakers?

Mr. IVENS. I refuse to answer that question and I invoke the fifth amendment.

Mr. KUNZIG. The committee is in possession of sworn testimony, Mr. Chairman, that such was the fact.

Did you on March 22, 1948, attend a Communist Party street meeting at 31st and Diamond Streets in Philadelphia where you were introduced as the first speaker?

Mr. IVENS. The same answer.

Mr. KUNZIG. In this speech you denounced the State Department and the President of the United States and so forth. Did you make such a speech in the Communist Party street meeting on March 22, 1948?

(At this point, Mr. Ivens conferred with Mr. Levitan.)

Mr. IVENS. Same answer for the same reason.

Mr. KUNZIG. As a teacher in the Philadelphia schools, have you ever used an alias, Mr. Ivens; did you ever go under any other name?

Mr. IVENS. Will you repeat your question, sir?

Mr. KUNZIG. Did you ever go under another name? Have you ever used an alias?

Mr. IVENS. Same answer, same reason.

Mr. KUNZIG. You refuse to answer whether you ever used an alias on the ground that it might incriminate you?

Mr. IVENS. I do not recall it, but to be on the safe side, I invoke the fifth amendment.

Mr. KUNZIG. Isn't it a fact that you attended on April 3, 1948, a Communist Party meeting at Diamond and Camac Streets where the chairman of the meeting introduced one Louis Gold as the speaker. Louis Gold got up to speak, but it was you, is not that a fact?

(At this point Mr. Ivens conferred with Mr. Levitan.)

Mr. IVENS. Same answer, same reason.

Mr. KUNZIG. I have here, Mr. Chairman, a photograph which I will ask to have marked as "Ivens' Exhibit No. 1" for identification, which is a picture taken of this particular meeting to which I have just referred and a picture taken of the speaker Louis Gold.

I would like to ask that Mr. Fuoss, the investigator, please pass that to the witness Louis Ivens and I would like to ask him if that is a picture of himself. This picture was taken of Louis Gold as he spoke.

(At this point Mr. Ivens conferred with Mr. Levitan.)

Mr. IVENS. Same answer, same reason.

Mr. VELDE. You decline to answer whether that person pictured on the photograph just handed you is the same as yourself?

Mr. IVENS. That is correct.

Mr. KUNZIG. Mr. Chairman, I offer this picture that has been marked "Exhibit No. 1" for identification into evidence as Ivens exhibit No. 1.

Mr. VELDE. Without objection, it will be so admitted.

(Photograph marked "Ivens Exhibit No. 1" for identification and received in evidence.)

Mr. CLARDY. May I state I have examined the photograph and at the same time looked at the witness and there is no doubt in my mind that the picture is a picture of the witness. I think the record should show that.

Mr. KUNZIG. For the record I should like to state that prior to the April 3, 1948, meeting, a letter in longhand was received by the superintendent of police, city hall, Philadelphia, just prior to that reading as follows:

DEAR SIR: This is to notify you that the Communist Party is holding an outdoor meeting Saturday, April 3, 1948, on the southeast corner of Camac and Diamond Streets, a topic of general political situations.

Sincerely,

MARCELLA SLOANE,
2014 North 32d Street.

Isn't it a fact that at that meeting, after speaking at length denouncing various governmental activities, you stated that you wondered why everyone was against the Communists when they have never done anything against this country?

Mr. IVENS. I refuse to answer that question for the same reason.

Mr. KUNZIG. The committee is in possession of sworn testimony, Mr. Chairman, that such a speech making such a statement was made.

Did you attend on May 1, 1948, a May Day rally in Reyburn Plaza held by district 3 of the Communist Party?

Mr. IVENS. Same answer, same reason.

Mr. KUNZIG. Did you at that time attend as a part of a "goon squad" under the supervision of Robert Klonsky, William Hood, William David Powers, and Wilson Long, all Communist Party members?

Mr. IVENS. I resent this reference to me in this hearing room. I refuse to answer that question for the same reason.

Mr. KUNZIG. We have another picture of this meeting, Mr. Chairman.

Mr. VELDE. If you resented it so much, wouldn't it be logical for you to deny it instead of refusing to answer the question?

Mr. CLARDY. That is if the facts would permit him to deny it.

Mr. IVENS. I was not part of a goon squad, never have been, and I am willing to stand and say that right now.

Mr. KUNZIG. Well, then, we will say were you a part of a meeting held by the Communist Party on May Day, May 1, 1948?

Mr. IVENS. Same answer, same reason.

Mr. VELDE. What same answer?

Mr. IVENS. On the fifth amendment.

Mr. KUNZIG. I have here a picture, Mr. Chairman, which I will ask to have marked "Ivens Exhibit No. 2" for identification, and I would like to ask Mr. Fuoss, the investigator, to show this to the witness and ask him if the person marked "No. 31" on this picture is not the witness.

This picture was taken on May 1, 1948, at this particular rally to which we are referring.

Mr. CLARDY. Are you asking whether this is the witness?

Mr. KUNZIG. I want to ask him if this is his own picture and if he so attended.

Mr. IVENS. I don't know, sir.

Mr. KUNZIG. The answer is you don't know?

Mr. LEVITAN. I don't know, either.

Mr. KUNZIG. You were not asked, Mr. Levitan.

May this photograph be introduced in evidence as Ivens exhibit No. 2, Mr. Chairman?

Mr. VELDE. It will be so admitted in evidence.

(Photograph marked "Ivens Exhibit No. 2" for identification and received in evidence.)

Mr. KUNZIG. Now, sir, on July 16, 1948, and July 18, 1948, the Communist Party, district 3, held a convention at the Chris J. Perry Elks Hall on North Broad Street, 1416 North Broad Street, Philadelphia. Did you attend that meeting of the Communist Party?

Mr. IVENS. Same answer, same reason.

Mr. KUNZIG. This meeting, Mr. Chairman, we have sworn testimony, was attended by all the leading functionaries and members of the Communist Party.

The witness here today spoke at that meeting, according to sworn testimony before the committee.

(At this point Mr. Ivens conferred with Mr. Levitan.)

Mr. KUNZIG. On May 21, 1949, Mr. Ivens, did you as a teacher in the Philadelphia schools participate in the picketing of the United States Courthouse at Ninth and Market Streets, Philadelphia, which is this very building in which we are sitting now, the demonstration being sponsored by the Civil Rights Congress, protesting against the trial of the Communist leaders in the Federal Courthouse in New York City?

Mr. IVENS. Same answer, same reason.

Mr. KUNZIG. I have a picture which I shall ask to have marked as "Ivens Exhibit No. 3," Mr. Chairman, for identification, which is a picture of the group picketing this courthouse at that time, and I should like Mr. Fuoss to hand it to the witness and would you look at this picture, and I ask whether the person Mr. Fuoss will point out to you is yourself?

Mr. IVENS. I don't know. It might be.

Mr. KUNZIG. I should like to offer this Ivens exhibit No. 3 into evidence at this time, Mr. Chairman.

Mr. VELDE. Without objection, it will be accepted into evidence at this point.

(Photograph marked "Ivens Exhibit No. 3" for identification and received in evidence.)

Mr. KUNZIG. We have sworn testimony, Mr. Chairman, that the witness did attend every one of these functions to which we have referred.

On June 17, 1949, did you attend a charter meeting of the Labor Youth League held at the Stephen Girard Hotel, 2227 Chestnut Street, Philadelphia, Pa., along with Robert Klonsky?

Mr. IVENS. I would like to answer that in the same manner, that testimony should be presented by those who made those statements.

Mr. KUNZIG. The Labor Youth League, Mr. Chairman, has been cited as a Communist front by Attorney General J. Howard McGrath in a letter to the Loyalty Review Board released April 30, 1950, as well as by the Un-American Activities Committee.

On July 27, 1949, did you participate in the picketing of the city hall, Philadelphia, Pa., sponsored by the Communist Party and assisted by the National Association for the Advancement of Colored People and the Civil Rights Congress?

Mr. IVENS. I refuse to answer that question for the same reason, sir.

Mr. KUNZIG. And at that time you were in company with Robert Klonsky whom we previously mentioned.

On September 29, 1949, did you attend the 30th anniversary rally of the Communist Party held at Reynolds Hall, 1416 North Broad Street, Philadelphia?

Mr. IVENS. Same answer, same reason.

Mr. KUNZIG. Mr. Chairman, I will not keep stating it, but each one of these statements the committee is in possession of sworn testimony that such was the fact.

Now, on November 25, 1949, did you attend a people's rally held at the Met on Broad and Poplar Streets, Philadelphia, sponsored by the Communist Party, district No. 3, to celebrate the 32d anniversary of the Soviet Union and the 70th birthday of Joseph Stalin?

Mr. IVENS. I would like to refuse to answer that question.

I would like to know why the committee doesn't talk about the present time, 1953 and 1952.

Mr. CLARDY. Mr. Chairman, the witness is out of order.

Mr. VELDE. The committee naturally has to run its own business. I am sure the witness does understand that.

Mr. KUNZIG. On February 24, 1950, to come a little closer, did you attend a peace festival and a rally held at the Met sponsored by the Communist Party, district No. 3, held in commemoration of Lenin and of Joseph Stalin? You were seen there.

Mr. IVENS. I refuse to answer that question.

Mr. KUNZIG. On the same grounds?

Mr. IVENS. On the same grounds.

Mr. KUNZIG. On February 10, 1951, did you attend the Negro freedom rally featuring Paul Robeson as the principal speaker, held at Reynolds Hall, Philadelphia, sponsored by the Civil Rights Congress?

Mr. IVENS. Yes, sir.

Mr. KUNZIG. You did attend that?

Mr. IVENS. Yes, sir.

Mr. KUNZIG. Were you a member of the Civil Rights Congress?

Mr. IVENS. I do not think I was, sir.

Mr. KUNZIG. Do you remember attending the meeting?

Mr. IVENS. Yes.

Mr. KUNZIG. But you do not think you were a member of the Civil Rights Congress?

Mr. IVENS. No, sir.

Mr. CLARDY. Was there any doubt in your mind as to whether you ever belonged to that organization?

Mr. IVENS. No, sir.

Mr. CLARDY. Did you?

Mr. IVENS. I don't think so.

Mr. CLARDY. But you are not sure?

Mr. IVENS. I did not think I was a member at that time.

Mr. CLARDY. Well, were you, frankly, ever a member?

(At this point Mr. Ivens conferred with Mr. Levitan.)

Mr. IVENS. I do not think so.

Mr. CLARDY. That is as close as you will come? You will not say you were not?

Mr. IVENS. I do not think so.

Mr. CLARDY. Very definitely.

Mr. KUNZIG. I have no further questions of this witness.

Mr. VELDE. The witness is excused with the same admonition and request that I made of the other witness early this afternoon.

We will be in recess for a period of a few minutes.

(Whereupon, at 2:56 p. m., the hearing was recessed for 15 minutes.)

Mr. VELDE. The Chair would like to make a very brief announcement for the benefit of the television audience. The committee has adopted definite rules concerning the televising of these hearings, and we do want the public to have all of the information which we can give, but in the interest of protecting the rights of the witness and the possible chance that the witness might cooperate with the committee and give the committee information, we have determined to ask the television cameras to desist when a witness asks that the television cameras be turned off because it might confuse him.

Mr. CLARDY. Might I add something, Mr. Chairman?

Mr. VELDE. Yes.

Mr. CLARDY. That request must come from the witness himself after he has been sworn.

Mr. VELDE. Yes.

Please proceed, Mr. Kunzig.

Mr. KUNZIG. I call Estelle Naomi Thomas.

Miss THOMAS. May I ask the court not to be photographed, please?

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Miss THOMAS. I do.

Mr. VELDE. You may now make your request.

Miss THOMAS. Sort of late.

TESTIMONY OF ESTELLE NAOMI THOMAS, ACCOMPANIED BY HER COUNSEL, HERMAN WEINER

Mr. KUNZIG. Would you state your name, please?

Miss THOMAS. Estelle Naomi Thomas. What do I have to do to call these shots off?

Mr. CLARDY. What was your request?

Miss THOMAS. I ask that please be stopped.

Mr. VELDE. Would the cameramen please desist?

Mr. KUNZIG. Would the attorney please identify himself for the record?

Mr. WEINER. Herman Weiner, 1412 Fox Building, Philadelphia, Pa.

Mr. KUNZIG. Miss Thomas, would you please state your address?

Miss THOMAS. 4288 Parkside Avenue.

Mr. KUNZIG. In Philadelphia?

Miss THOMAS. In Philadelphia.

Mr. KUNZIG. Are you a teacher, Miss Thomas?

Miss THOMAS. Yes, I am.

Mr. KUNZIG. Where are you a teacher at the present time?

Miss THOMAS. I am a teacher at the Bache School in Philadelphia.

Mr. KUNZIG. Is that an elementary school?

Miss THOMAS. That is an elementary school.

Mr. KUNZIG. What grade do you teach there?

Miss THOMAS. Second grade.

Mr. KUNZIG. Would you give the committee, please, a résumé of of your educational background?

Miss THOMAS. I am a graduate of the Bethlehem High School, the Liberty High School in Bethlehem, Pa., a graduate of the East Stroudsburg Teachers' College.

Mr. KUNZIG. Would you give the committee a résumé of your employment background?

Miss THOMAS. I taught educational recreation in the WPA. I worked for the Signal Corps.

Mr. KUNZIG. You worked for the WPA in the 1930's, is that correct?

Miss THOMAS. I believe it started in 1938.

Mr. KUNZIG. You started to say you worked for the United States Signal Corps?

Miss THOMAS. Yes.

Mr. KUNZIG. When was that?

Miss THOMAS. I believe it was 1943.

Mr. KUNZIG. 1943?

Miss THOMAS. I believe so. I am not quite sure of my dates.

Mr. KUNZIG. To the best of your memory.

Miss THOMAS. Yes.

Mr. KUNZIG. Was that in Philadelphia?

Miss THOMAS. Yes, in Philadelphia.

Mr. KUNZIG. At what address?

Miss THOMAS. At the Signal Corps Depot on Wissahickon and Abbotsford Road. Then I taught on child care in Philadelphia and also in New York.

I worked at the Philadelphia Psychiatric Hospital for a few months.

Mr. KUNZIG. When was that?

Miss THOMAS. That was about 3 years ago, just a few months.

Mr. KUNZIG. Haven't you skipped 1944 to 1946? Where were you from 1944 to 1946?

Miss THOMAS. I am sorry. I taught English to Soviet engineers in Washington, D. C.

Mr. KUNZIG. At the Soviet Government Purchasing Commission?

Miss THOMAS. That is right, and then I was substituting at the Philadelphia school system and took an examination which I passed and became appointed in the Philadelphia school system 2½ years ago.

Mr. KUNZIG. Does that cover the whole thing?

Miss THOMAS. Yes.

Mr. KUNZIG. What about 1947 and 1948? Where were you then?

Miss THOMAS. I was then in Europe.

Mr. KUNZIG. What did you do in Europe?

Miss THOMAS. I was traveling in Europe and first I went to England and from England I went on to see what had happened to my people, the Jews in Poland. I wanted to see what the Warsaw ghetto was like.

I visited children's homes, the orphanage homes, the results of Hitler's crimes. I felt a duty to volunteer my services to help these children, to help therapeutically to put these children back to normal human beings.

Mr. KUNZIG. This was where?

Miss THOMAS. At the Jewish orphanage around Protrolesiv.

Mr. KUNZIG. In Lower Silesia, Poland?

Miss THOMAS. Yes.

Mr. KUNZIG. You became a teacher in Philadelphia in February 1951?

Miss THOMAS. Yes.

Mr. KUNZIG. Have you at any time been a member of the Communist Party?

Miss THOMAS. I refuse to answer that question on the grounds of the fifth amendment.

Mr. KUNZIG. Are you now a member of the Communist Party?

Miss THOMAS. I am not now a member of the Communist Party. I signed the loyalty oath in 1952.

Mr. KUNZIG. Were you a member of the Communist Party in 1952?

Miss THOMAS. I refuse to answer that question on the grounds of the fifth amendment.

Mr. VELDE. Were you a member of the Communist Party on the date that you signed the loyalty oath?

Miss THOMAS. I was not a member of the Communist Party. I was in full loyalty to my country.

Mr. KUNZIG. In what month of 1952?

Miss THOMAS. I believe it was 1952, in March.

Mr. KUNZIG. It was between March and April. How about February 1952? Were you a member of the Communist Party then?

Miss THOMAS. I refuse for the same reason, refuse to answer the question.

Mr. KUNZIG. This committee is in possession of sworn testimony, Miss Thomas, that you have been a member of the Communist Party since about 1933. Do you wish to confirm or deny that fact?

Miss THOMAS. I refuse to answer that question.

Mr. KUNZIG. The committee is also in possession of sworn testimony that some time in 1942 or 1943 you were president of a Communist group which included Communist members working in the United States Signal Corps here in Philadelphia, Pa., is that correct?

Miss THOMAS. I refuse to answer that question on the grounds of the fifth amendment.

Mr. KUNZIG. In the fall of 1943, this committee is in possession of sworn testimony that you transferred to Group 2-A of the Communist Party, is that correct?

Miss THOMAS. I refuse to answer that question on the same grounds.

Mr. KUNZIG. We are in possession of sworn testimony that in 1943 you had Communist Party membership book No. 94338, is that correct?

Miss THOMAS. I refuse to answer that question on the same grounds.

Mr. KUNZIG. We are in possession of sworn testimony that in 1944 you had Communist Party membership book No. 104190 or No. 104194, one or the other of those two, is that correct?

Miss THOMAS. I refuse to answer that question for the same reason.

Mr. KUNZIG. We also have sworn testimony, Miss Thomas, that you were a member of the first district of the Communist Party and a member of the Sam Lee Club of the Communist Party.

I will ask you first, were you a member of the first district of the Communist Party?

Miss THOMAS. All these questions are cloaked in the same robe. I refuse to answer that question on the same ground.

Mr. KUNZIG. I will ask you secondly whether you were a member of the Sam Lee Club of the Communist Party?

Miss THOMAS. Same answer, same reason.

Mr. KUNZIG. This was in the period of time of 1943, roughly.

Miss THOMAS. Same answer, same reason.

Mr. KUNZIG. Are you acquainted with Dave Davis and his wife Sophie?

Miss THOMAS. Fifth amendment.

Mr. KUNZIG. Did you know that Dave Davis was arrested by the FBI in connection with his Communist Party activities?

Miss THOMAS. I refuse to answer that question.

Mr. KUNZIG. Mr. Dave Davis was identified as a member of the party by Mr. DiMaria¹ on October 15, 1952, and by Mr. Delaney² on October 13, 1952, in the hearings held in this very room.

In 1950, we have sworn testimony, that you were a member of the International Workers' Order which has been cited as subversive by the Attorney General of the United States. Were you a member of that group?

Miss THOMAS. Same reason, same amendment.

Mr. KUNZIG. Mr. Chairman, I have no further questions at this time to ask of Miss Thomas.

Mr. VELDE. The witness is excused.

Will you call the next witness, Mr. Kunzig?

Mr. KUNZIG. I would like to call Sarah Walsh Wepman.

Mrs. WEPMAN. I would like the television cameras and the photographers' cameras turned off.

Mr. VELDE. In the testimony you are about to give before the subcommittee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mrs. WEPMAN. I do. I would like to have the television cameras and newspaper cameras and television lights turned off, and the movie cameras.

Mr. VELDE. Your request will be complied with. We hope they will not confuse your testimony and that you will give us the information which counsel will question you about.

¹Samuel J. DiMaria.

²Thomas F. Delaney.

TESTIMONY OF SARAH WALSH WEPMAN, ACCOMPANIED BY HER COUNSEL, JACOB S. RICHMAN

Mr. KUNZIG. Would you state your full name for the record, please?

Mrs. WEPMAN. Mrs. Sarah Walsh Wepman.

Mr. KUNZIG. Would counsel please state his name and office address?

Mr. RICHMAN. Jacob S. Richman, northeast corner of 19th and Chestnut Streets.

Mr. KUNZIG. Mrs. Wepman, would you state your educational background, please?

Mrs. WEPMAN. I was educated in the Philadelphia public schools, elementary and high school.

I was graduated from the Philadelphia Normal School. I attended the University of Pennsylvania.

Mr. KUNZIG. Did you graduate from the University of Pennsylvania? When did you leave Pennsylvania University?

Mrs. WEPMAN. I did not leave. I almost—well, let me say to be quite exact, in 1939 the dean of the school of education called me in to find out why I had not finished my work. I was within six credits of my B. S. and I told him I had been working on the teacher tenure campaign in 1937, and at that point this gentleman told me that the teachers' tenure law would result in nothing but the scum and the filth of the teacher system and I ventured to disagree with him and he got angry and told me to go.

Mr. VELDE. That information might be interesting, but it is not relevant to the subject matter that we are inquiring into.

Just tell whether you graduated or whether you quit school.

Mr. KUNZIG. What year did this happen when you left?

Mrs. WEPMAN. I should say it was 1938.

Mr. KUNZIG. Mrs. Wepman, would you state what your present address is?

Mrs. WEPMAN. I live in a town in the country 30 miles from here, Solebury, Pa., in Bucks County.

Mr. KUNZIG. Are you now a teacher?

Mrs. WEPMAN. I have not been connected with the school system for the past 8 years. I am a housewife and a mother and I find that I put a 12- to 14-hour day in on that job.

Mr. KUNZIG. Would you give the committee a résumé of your employment background in the years when you were a teacher?

Mrs. WEPMAN. Yes; at the age of 19 I began to teach. I stopped teaching at the age of 41, 8 years ago, which would be about 1945, I think.

Mr. KUNZIG. Where did you teach during those years?

Mrs. WEPMAN. I taught in, it is too long ago to remember the elementary schools.

Mr. KUNZIG. To the best of your ability.

Mrs. WEPMAN. I taught in elementary schools for 4 years. I then taught for 17 years at the Penn Treaty Junior High School.

Mr. KUNZIG. What did you teach?

Mrs. WEPMAN. I was a teacher of English.

Mr. KUNZIG. Is that where you were when you left the schools?

Mrs. WEPMAN. That is right.

Mr. KUNZIG. This committee is in possession of sworn testimony that you joined the Communist Party in 1933 and you were captain of a unit, unit 1 of the party, is that correct?

Mrs. WEPMAN. Well, I would like to go into that testimony but I am not going to. I would like to see that testimony placed before a court of law to see how it stacks up. I am not going to answer that question because you have had one self-confessed spy here today who, incidentally, needed a good course in enunciation because I couldn't hear half of what she said back there.

Mr. VELDE. We are not interested in that.

Mrs. WEPMAN. But I am not answering your question which I say I am sure would not stack up in a court, and I invoke the fifth amendment because I am not required to testify against myself or answer any questions which may incriminate me.

Mr. KUNZIG. Mr. Chairman, this committee is in possession of sworn testimony that Mrs. Wepman's Communist membership card was one of the lowest we have ever had before this committee. It was No. 33.

Mr. VELDE. Lowest in number?

Mr. KUNZIG. Lowest in number.

Mrs. WEPMAN. I am not that old.

Mr. KUNZIG. Did you have Communist membership card No. 33, Mrs. Wepman?

Mrs. WEPMAN. I refuse to answer that question on the ground that I am not required to testify against myself or answer any question which may tend to incriminate me.

Mr. KUNZIG. Were you active, Mrs. Wepman, as a lobbyist and a leader for Local No. 192, the Teachers' Union of the American Federation of Teachers at that time?

Mrs. WEPMAN. I was.

Mr. KUNZIG. Were you a member of the Communist Party when you were a lobbyist and leader of Local 192?

Mrs. WEPMAN. Same question, same answer. This is a "Do you beat your husband?" question, you know. Under the fifth amendment I will not answer that.

Mr. KUNZIG. We are just asking whether you are a member of the Communist Party. Your answer, when asked whether you were a member of the Communist Party during your union work is that you refuse to answer the question on the basis of the fifth amendment?

Mrs. WEPMAN. Yes.

Mr. KUNZIG. Do you know a Ben Weiss, city secretary of the Communist Party?

Mrs. WEPMAN. Same answer, same reason.

Mr. KUNZIG. Were you involved in that period of time in bitter arguments because of the fact that your publicity material was being rewritten by Walter Lowenfels, writer for the Daily Worker?

Mrs. WEPMAN. Mr. Kunzig, I am a contentious woman, but I would not answer that question, same reason.

Mr. KUNZIG. On October 13, 1942, did you attend a closed meeting of the Communist Party also attended by Ralph Glick, Communist Party organizer, and Sam Darcy, Pennsylvania Communist Party secretary?

Mrs. WEPMAN. I refuse to answer that question, same reason.

Mr. KUNZIG. The committee is in possession of sworn testimony that the witness did so attend, Mr. Chairman.

On October 4, 1943, did you meet with Sam Darcy, J. Granville Eddy, Dave Davis, also identified before this committee as a Communist, and Carl Reeves?

Mrs. WEPMAN. I refuse to answer that question, same reason.

Mr. KUNZIG. This committee is in possession of sworn testimony that the meeting did take place and that the witness did attend such meeting.

The committee is also in possession of sworn testimony that you were a member of the special branch of section 8 of the Communist Party in and around 1944, is that correct?

Mrs. WEPMAN. I refuse to answer that question, same reason.

Mr. KUNZIG. We have sworn testimony, Mrs. Wepman, that in 1944 you had Communist Party Book No. 78307, and in 1945 you had Book No. 86225. Did you have those two Communist Party book numbers?

Mrs. WEPMAN. I refuse to answer that question, same reason.

Mr. KUNZIG. Did you ever teach in the Philadelphia School of Social Science and Art?

Mrs. WEPMAN. I refuse to answer that question, same reason.

Mr. KUNZIG. The Philadelphia School of Social Science and Art was cited as an adjunct of the Communist Party by Attorney General Tom Clark in a letter to the Loyalty Review Board released December 4, 1947.

Were you a delegate for District No. 3 of the Communist Party at the National Communist Party plenum in New York?

Mrs. WEPMAN. I refuse to answer that question; same answer, same reason.

Mr. KUNZIG. We have sworn testimony, Mr. Chairman, that such is the fact.

Mr. VELDE. When was that?

Mr. KUNZIG. This was about January 1944.

We have testimony that you were a member of the district board, district 3, of the Communist Party; is that correct, at about that time?

Mrs. WEPMAN. I refuse to answer that question; same answer, same reason.

Mr. KUNZIG. In April, on April 24, 1946, the State, County and Municipal Workers of America and the United Federal Workers of the CIO became known as the United Public Workers, CIO. Were you transferred to the national office of this organization and did you work as an organizer?

Mrs. WEPMAN. I was not transferred.

Mr. KUNZIG. Will you state to the committee what the facts are?

Mrs. WEPMAN. As a matter of voluntary choice when I left the school system I worked as national director of the Federal United Public Workers National Teachers' Division for about 1 year.

Mr. KUNZIG. Are you a member of the Communist Party now?

Mrs. WEPMAN. I refuse to answer that question; same answer, same reason.

Mr. KUNZIG. I have no further questions, Mr. Chairman.

Mr. VELDE. Do you have any questions, Mr. Clardy?

Mr. CLARDY. No questions.

Mr. VELDE. Do you have any questions, Mr. Walter?

Mr. WALTER. No questions.

Mr. VELDE. There are no further questions. The witness is excused. Call your next witness, Mr. Kunzig.

Mr. KUNZIG. I call Lillian Lowenfels.

Mr. VELDE. The committee will be in recess for 5 minutes.

(Whereupon, at 3:34 p. m. the hearing was recessed for 8 minutes.)

Mr. VELDE. The committee has considered a request by counsel in executive session that the lights be turned off when this witness appears for a very good reason, medical reasons. I ask that the television lights be turned off and no other lights be used.

Mr. KUNZIG. I call Lillian Lowenfels.

Mr. CLARDY. This is not a precedent, Mr. Chairman, but for a special medical reason.

Mr. VELDE. In the testimony which you are about to give before this subcommittee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. LOWENFELS. I do.

TESTIMONY OF LILLIAN LOWENFELS, ACCOMPANIED BY HER COUNSEL, JOSEPH SHARFSIN

Mr. KUNZIG. Would you state your full name, please?

Mrs. LOWENFELS. Look, my blood pressure is 260 today. I do not want to collapse here today despite my illness.

Mr. CLARDY. We are giving you a privilege we have never given any other witness and for the very reason you have cited, and if you will just subside we will go along with you.

Mrs. LOWENFELS. I want you to know, Congressman, that I came here despite my illness. I did not ask for any delay.

Mr. KUNZIG. Would you state your full name, please?

Mrs. LOWENFELS. Lillian Lowenfels.

Mr. KUNZIG. And your address?

Mrs. LOWENFELS. 4510 Regent Street.

Mr. KUNZIG. Would counsel please identify himself for the record?

Mr. SHARFSIN. Joseph Sharfsin, 1332 Lincoln Liberty Building, Philadelphia.

Mr. KUNZIG. Mrs. Lowenfels, would you give the committee a brief résumé of your educational background first?

Mrs. LOWENFELS. I graduated from West Philadelphia High School and got a bachelor's degree in science and education at the University of Pennsylvania.

Mr. KUNZIG. What year was that?

Mrs. LOWENFELS. I graduated from West Philadelphia High School in 1921 and then on a scholarship received my degree from Pennsylvania in 1924 in 3 years.

Then I went to Paris to study French because I had majored in French. I was born and raised in Philadelphia.

Mr. KUNZIG. Thank you.

Mrs. LOWENFELS. I stayed in Paris as an educational—well, it was partly educational. I was a newspaper writer and fashion correspondent for many years. I did ghost writing, six articles a week and one on Sunday for many years, wrote books, a book called Cleopatra's Daughter.

Then in 1943, the fall of 1943, I returned to the University of Pennsylvania and studied there and received in 1947 a master's degree in

American civilization. This is a combination—for you gentlemen who don't know what American civilization is—it is a combination of the study of literature and history of America starting back at the beginning of colonial times. I know you are not interested in knowing why I went back to take this course, but we will let it go.

Then in 1949 Dr. Hoyer, the superintendent of the Philadelphia Board of Education, gave me a fellowship through the National Conference of Christians and Jews to Rutgers University where I spent 6 weeks, a summer course, consisting of 8 credits in human relations, the workshop in human relations, a study which I took very seriously.

I would like to call to your attention a very unamusing thing that has happened to me and I think that you as the Committee on Un-American Activities should be interested in this. I am no longer a teacher. The "Philadelphia School Board Ousts Teachers in Red Investigation" is the headline of an article. It is this investigation that has cost me my livelihood.

Mr. VELDE. Let me say that the committee has never as far as I am concerned, and never will, attempt to interfere with anybody's livelihood in any way whatsoever. We were dutybound to the people of the United States, to the Congress of the United States, to investigate subversive propaganda and report it to Congress for remedial legislation. That is our only purpose in holding these hearings.

Mr. CLARDY. May I just disabuse your mind of one thing that seems to be present? I haven't read the paper. I did not know what was in it and didn't know what you were talking about. But we have not released to anyone news that you were going to be called as a witness, and so if that has become broadcast it could only have come from you or someone to whom you have imparted the knowledge, because it is the invariable rule that we do not engage in that sort of thing.

While I haven't read this, I am sure that if there is any implication in there that it is the result of our having announced it, it is not correct.

Mrs. LOWENFELS. I won't labor the point. I want to say this, that as the result of this publicity which appeared day after day about me I received obscene threats to my life.

Mr. CLARDY. That puts you in our class. We get that sort of thing right along.

Mrs. LOWENFELS. But you are not the mother of four daughters and a granddaughter and an expectant grandson, I hope, and ill and so on.

Mr. KUNZIG. Mr. Chairman, any action which the school board has taken has nothing to do with the Congress of the United States and nothing to do with this committee. They have taken whatever action they have completely on their own.

I would like to ask you when you first became a teacher in the Philadelphia schools.

Mrs. LOWENFELS. I became what was known as a long-term substitute in 1943, the fall of 1943. I had held that because of the war shortage of teachers. I had no intention of going back to teach. I was giving book reviews in Elkins Park and I was told or asked why I didn't go back and teach, and I did, and from 1943 to 1946 I taught first in junior high schools and then in senior high schools.

Mr. KUNZIG. In what senior high school did you teach?

Mrs. LOWENFELS. My first teaching was at Shaw Junior High School and after that I was sent to Bartram High School when an opening appeared there, and from Bartram to West Philadelphia.

Mr. KUNZIG. When did you go to West Philadelphia?

Mrs. LOWENFELS. It seems to me that would have been in the fall of the year, either the spring of 1945 or the fall of 1944. It was the spring of 1945. I was at John Bartram for 3 years.

Mr. KUNZIG. And then where?

Mrs. LOWENFELS. Then I went back to Bartram because there was no opening at West Philadelphia and even long-term substitutes are shifted about, and then in the fall of—do you want me to continue?

Mr. KUNZIG. Yes, please do.

Mrs. LOWENFELS. In 1946, the fall of 1946, I was called and asked if I would teach at the Veterans' program, the Veterans' accelerated program, which had been set up a few months before, as a French teacher. I taught also in the Veterans' Area College for 5 terms, I think, as long as it lasted, simultaneously with teaching the day school. I taught English at the Veterans' Area College. I taught at the Veterans' program for the equivalent of a year and a half for the first time and then took my teachers' examination.

Mr. KUNZIG. What year was this?

Mrs. LOWENFELS. 1947, while I was taking my master's degree and so on.

Mr. KUNZIG. Did you receive a permanent appointment then?

Mrs. LOWENFELS. In 1947 I received a permanent appointment.

Mr. KUNZIG. Where have you taught since 1947?

Mrs. LOWENFELS. I was at the girls high school as an auxiliary for 1 year and then I was what is known as a forced transfer, that is when an opening no longer exists for a teacher she is shifted to wherever the board can find a place for her and I went from girls high school to West Philadelphia and then for a term to Overbrook and then for a term to William Penn and then back to the Veterans' program in February of 1950, where I have been to the day school, the evening school, the summer school and winter school.

Mr. KUNZIG. Where was this?

Mrs. LOWENFELS. This was at the Benjamin Franklin High School. In 1945 we had 130 to 150 teachers. We had, last September, 2 teachers, of which I was one, but I was fired for incompetence. I taught English, French, History, Spanish and German simultaneously. I also taught typing when they needed a typing teacher.

Mr. KUNZIG. You were an employee of the board of education in this Veterans' teaching program?

Mrs. LOWENFELS. Yes.

Mr. KUNZIG. And that is where you were until a week or so ago?

Mrs. LOWENFELS. Well, that is where I was until Monday morning.

Mr. CLARDY. I have read this article and I think the record ought to show that the article states it quite plainly that the committee had nothing to do with it. In fact, it specifically states "These persons have been under investigation for more than a year by the board itself."

And then the reason for the suspension, which is apparently going to result in the hearings, is recited in here, and I note from the paper itself for "incompetence and persistent and willful violation of the

laws of the Commonwealth of Pennsylvania," which of course obviously means that it has no connection with the Federal action.

Mrs. LOWENFELS. I want to say that judgment has been passed on me. I have been judged without a trial. I have been pilloried. My character has been assassinated.

Mr. KUNZIG. Are you a member of the Communist Party?

Mrs. LOWENFELS. No, I am not a member of the Communist Party.

Mr. KUNZIG. Did you take the Pennsylvania loyalty oath?

Mrs. LOWENFELS. Naturally I took the Pennsylvania loyalty oath.

Mr. KUNZIG. Between taking the oath and the present day, were you a member of the Communist Party?

Mrs. LOWENFELS. I don't know what you mean.

Mr. KUNZIG. In the period of time between the time at which you took the oath and the present time, were you ever a member of the Communist Party?

Mrs. LOWENFELS. No.

Mr. KUNZIG. During that period of time?

Mrs. LOWENFELS. I want to say this, there is only one reason why I am here. I am the wife of Walter Lowenfels. That is the only reason I was cited. I was selected as a target.

Mr. VELDE. I want to explain again before this gets too nauseating to the members of the committee or the audience participating, that our duty is to investigate subversive propaganda among other things. You were called as a witness in the hope that you could give us information about subversive activities in this connection, and that was the only reason you were called. We would appreciate it very much.

Mr. KUNZIG. Have you ever been a member of the Communist Party at any time?

(At this point Mrs. Lowenfels conferred with Mr. Sharfsin.)

Mrs. LOWENFELS. I refuse to answer on the ground of the fifth amendment. I was trying to read it in the Bill of Rights, which I always carry with me, to see what my rights are, no man shall be required to be a witness against himself.

Mr. WALTER. In any criminal proceedings.

Mr. KUNZIG. This committee is in possession of sworn testimony that you were a known member of the Communist Party in 1940, 1941, 1942, and 1943. Now, with respect to those specific dates, for the purpose of this present question, were you a member of the Communist Party in those years?

(At this point Mrs. Lowenfels conferred with Mr. Sharfsin.)

Mrs. LOWENFELS. I invoke my privilege under the fifth amendment on that.

Mr. KUNZIG. We are in possession of sworn testimony, under oath, that you took an active part in branch work and were appointed to the city committee of the Communist Party in 1943. Were you so appointed?

Mrs. LOWENFELS. I invoke my privilege, but I surely would like to see the person who said that.

Mr. KUNZIG. Have you ever been to the Communist Party headquarters located at 250 South Broad Street in Philadelphia?

Mrs. LOWENFELS. Where the Shubert Theater is?

Mr. KUNZIG. It is in that building, I believe.

Mrs. LOWENFELS. I must invoke my privilege under the fifth amendment.

Mr. CLARDY. As to whether you ever went in the building?

Mrs. LOWENFELS. I don't know what he means.

Mr. KUNZIG. I asked you whether you went to the Communist Party headquarters at 250 South Broad Street in Philadelphia.

Mrs. LOWENFELS. I invoke my privilege.

Mr. KUNZIG. During the years 1943 and 1944 were you a member of the Daily Worker Press Club here in Philadelphia?

Mrs. LOWENFELS. I must invoke my privilege on that.

Mr. KUNZIG. This committee is in possession of sworn testimony that such is the fact.

Have you ever attended meetings of the Forty-sixth Ward Club which later became the West Philadelphia Communist Club during those years of 1943, 1944, and 1945?

Mrs. LOWENFELS. I shall have to invoke my privilege under the fifth amendment. May I ask just one question out of intellectual curiosity?

Mr. WALTER. You say "I must." You do not have to invoke the fifth amendment.

Mrs. LOWENFELS. I do because I am the wife of Walter Lowenfels and anything I say will incriminate me. I do for that reason, because I am the wife of a Smith Act defendant and I am very vulnerable because of that.

Mr. KUNZIG. We are asking you questions, and I want to emphasize for the record, only about yourself, only about your activities and about no one else's activities whatsoever.

Were you an instructor at the Tom Paine School of Social Science in Philadelphia in 1942?

Mrs. LOWENFELS. What school was that? I never heard of that school.

Mr. KUNZIG. Tom Paine.

Mrs. LOWENFELS. I have no recollection of having taught in that school, nor do I remember such a school.

Mr. KUNZIG. It has been cited as an adjunct in Westchester, N. Y., of the Communist Party by Attorney General Tom Clark in a letter to the Loyalty Review Board, released December 4, 1947.

Mrs. LOWENFELS. No recollection of that at all.

Mr. KUNZIG. On May 1, 1942, did you attend the Communist Party May Day Win-the-War Rally held in Town Hall, Philadelphia?

Mrs. LOWENFELS. How many years ago was that?

Mr. KUNZIG. If you subtract, I believe it is about 11 years.

(At this point Mrs. Lowenfels conferred with Mr. Sharfsin.)

Mrs. LOWENFELS. I refuse to answer. I invoke my privilege under the fifth amendment.

Mr. KUNZIG. The committee is in possession of sworn testimony that the witness did so attend.

Have you been active in and around the period of 1944 collecting donations for the West Philadelphia Communist Club of the Communist Political Association?

Mrs. LOWENFELS. Fifth amendment.

Mr. KUNZIG. You refuse to answer on the grounds of the fifth amendment?

Mrs. LOWENFELS. I cannot answer, under the fifth amendment.

Mr. KUNZIG. The committee is in possession of sworn testimony, Mr. Chairman, that Mrs. Lowenfels did so collect donations for the West Philadelphia Communist Club.

When you listed all the various places at which you taught, did you teach at any other time at any other school in Philadelphia?

(At this point Mrs. Lowenfels conferred with Mr. Sharfsin.)

Mrs. LOWENFELS. Same answer.

Mr. KUNZIG. You refuse to answer on the grounds of the fifth amendment?

Mrs. LOWENFELS. Yes.

Mr. KUNZIG. Isn't it a fact that in the fall of 1944 you were listed in the Philadelphia School of Social Science and Art for the fall session of 1944 as a lecturer, and it says "Lillian Lowenfels, AP-UP, studied Sorbonne, history teacher," and so forth. Did you teach at that school?

Mrs. LOWENFELS. I refuse to answer under the fifth amendment.

Mr. CLARDY. Do you have the document there, Mr. Counsel?

Mr. KUNZIG. Yes, we have the document, which I would like to offer into evidence as Lowenfels' exhibit No. 1 and I should like to state that the Philadelphia School of Social Science and Art has been cited as an adjunct of the Communist Party by Attorney General Tom Clark in a letter to the Loyalty Review Board released December 4, 1947.

Mr. VELDE. Without objection the document will be admitted in evidence.

(Document listing Lillian Lowenfels as lecturer at Philadelphia School of Social Science and Art marked "Lowenfels Exhibit No. 1" for identification was received in evidence.)

Mr. KUNZIG. We also have evidence that you taught at the school in 1946, is that correct, this same school?

Mrs. LOWENFELS. I refuse to answer under the fifth amendment.

Mr. KUNZIG. Were you present at the district convention of the Communist Party of eastern Pennsylvania and Delaware held in 1946?

Mrs. LOWENFELS. I refuse to answer under the fifth amendment.

Mr. KUNZIG. The committee has sworn testimony, Mr. Chairman, that the witness was so present.

In 1946 under the membership of section 3, district 3, of the Communist Party the following name appears as being a member of this particular section: Mrs. W. Lowenfels, 4510 Regent Street, Philadelphia. Were you so a member?

Mrs. LOWENFELS. I invoke my privilege under the fifth amendment.

Mr. KUNZIG. Did you ever attend meetings of the Communist Party in 1947 at a meeting place on Sixty-sixth Street in West Philadelphia?

Mrs. LOWENFELS. I invoke my privilege under the fifth amendment.

Mr. KUNZIG. This committee has sworn testimony that you did so attend such meeting.

The committee has testimony, Mr. Chairman, also that the witness attended meetings at the home of Sidney and Genieve Fox at 2210 Pine Street in Philadelphia, Communist Party meetings.

These meetings were meetings of the professional side of the Communist Party. Did you attend such meetings?

Mrs. LOWENFELS. I refuse to answer under the fifth amendment.

Mr. KUNZIG. In 1950 we have sworn testimony that you were seen attending meetings of the professional section of the Communist Party of Eastern Pennsylvania and Delaware. Did you so attend such meetings?

Mrs. LOWENFELS. I refuse to answer under the fifth amendment.

Mr. KUNZIG. No further questions, Mr. Chairman.

Mr. VELDE. The witness is excused.

Call the next witness.

Mr. KUNZIG. I call Mr. Samuel Kaplan.

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. KAPLAN. I do.

Could I request that the cameras be turned off now? It is a little bit late now for the newspaper cameras, but I would like to have them turned off now.

Mr. VELDE. One of the reasons that we grant the request of the witness is that it will not interfere with their testimony. So far as that is concerned you have not given any reason yet.

Mr. KAPLAN. Could I have the lights turned off, and the television?

Mr. VELDE. Before giving any testimony, you request that the lights be turned off, is that correct?

Mr. KAPLAN. Yes.

Mr. VELDE. Let the request of the witness be granted, and the lights will again be turned off.

Mr. KAPLAN. I would like to explain why. I feel rather strongly about it.

Mr. CLARDY. We have ordered them turned off. You do not have to give us any reason.

Mr. KAPLAN. I will tell you why.

Mr. KUNZIG. Shall I proceed, Mr. Chairman?

Mr. VELDE. Yes.

TESTIMONY OF SAMUEL MEYER KAPLAN, ACCOMPANIED BY HIS COUNSEL, HENRY W. SAWYER

Mr. KUNZIG. Would you state your full name for the record, please?

Mr. KAPLAN. Samuel Meyer Kaplan.

Mr. KUNZIG. What is your present address, Mr. Kaplan?

Mr. KAPLAN. 1402 60th Street, Philadelphia.

Mr. KUNZIG. Would counsel please identify himself for the record?

Mr. SAWYER. Henry W. Sawyer, 117 South Seventeenth Street, Philadelphia, Pa.

Mr. KUNZIG. Are you presently a teacher in the Philadelphia school system, Mr. Kaplan?

Mr. KAPLAN. I am.

Mr. KUNZIG. Where do you teach?

Mr. KAPLAN. At the John Bartram High School.

Mr. KUNZIG. What subject do you teach?

Mr. KAPLAN. I teach English.

Mr. KUNZIG. Would you give the committee a brief résumé of your educational background?

Mr. KAPLAN. I am a graduate of the Central High School of Philadelphia.

Mr. KUNZIG. In what year?

Mr. KAPLAN. 1927.

Mr. KUNZIG. Please continue.

Mr. KAPLAN. I am a graduate of the University of Pennsylvania, 1933, with a bachelor's degree. I took a master's degree at Temple University in 1949, I believe it was 1949.

Mr. KUNZIG. And that is your formal education?

Mr. KAPLAN. That is my formal education.

Mr. KUNZIG. Would you now give the committee a résumé of your employment, where you have worked?

Mr. KAPLAN. Yes; I worked in the WPA for a while in the late 1930's and for the department of public assistance for about a year and a half.

Mr. KUNZIG. Is that the Department of Public Assistance of the Commonwealth of Pennsylvania?

Mr. KAPLAN. Yes. I went into the service and served for 3½ years in the Army of the United States.

While I was in the Army I was appointed to a teaching position. When I came out of the Army in 1945 I went into the school system as a teacher.

Mr. KUNZIG. I want the record to show that the witness was honorably discharged from the United States Army. Would you continue, please?

Mr. KAPLAN. Since that time I have been employed by the school system in Philadelphia.

Mr. KUNZIG. At what school?

Mr. KAPLAN. When I came out at Gillespie Junior High School for a few months.

Mr. KUNZIG. Were you always teaching English?

Mr. KAPLAN. Yes; and from that school I went to the South Philadelphia High School for Boys and from there I was transferred to the John Bartram High School where I now teach.

Mr. KUNZIG. On October 13, 1952, at hearings before this committee held, I believe, in this very room in Philadelphia, one Thomas Delaney testified that he joined the Communist Party in 1939 and went on to testify he was assigned to the professional branch, and so forth. This branch was composed of about 15 members of the Pennsylvania Department of Public Assistance. He named Samuel Kaplan as a member of that professional branch and also identified this Samuel Kaplan as educational director of this branch of the Communist Party.

So, I wish to ask you whether at that time, and this was in 1939, you were a member of the Communist Party?

Mr. KAPLAN. For several reasons I refuse to answer that question. The first amendment, which has been thoroughly discussed today; the ninth amendment of the Constitution, which I think you all know; and the fifth amendment, since it might tend to incriminate me.

Mr. KUNZIG. You refuse to answer that on the grounds of the fifth amendment?

Mr. KAPLAN. I have mentioned three, sir.

Mr. KUNZIG. Were you educational director of this branch of the Communist Party as testified to by Thomas F. Delaney, under oath?

Mr. KAPLAN. Same answer for the same reason.

Mr. KUNZIG. Are you now a member of the Communist Party?

Mr. KAPLAN. No.

Mr. KUNZIG. Were you a member of the Communist Party 6 months ago?

Mr. KAPLAN. No.

Mr. KUNZIG. Did you sign the Pennsylvania loyalty oath?

Mr. KAPLAN. I did.

Mr. KUNZIG. Were you a member of the Communist Party when you signed any oath, that oath particularly?

Mr. KAPLAN. No.

Mr. KUNZIG. That was in the spring of 1952. Were you a member of the Communist Party in the fall of 1951?

Mr. KAPLAN. No.

Mr. KUNZIG. How about the fall of 1950?

Mr. KAPLAN. I refuse to answer that question on the ground that it might tend to incriminate me.

Mr. KUNZIG. We will move up a little bit. How about the summer of 1951?

Mr. KAPLAN. No.

Mr. KUNZIG. The spring of 1951?

Mr. KAPLAN. No.

Mr. KUNZIG. February of 1951?

Mr. KAPLAN. No.

Mr. KUNZIG. January 1951?

Mr. KAPLAN. No.

Mr. KUNZIG. December 1950?

Mr. KAPLAN. I refuse to answer that question on the ground that it might tend to incriminate me.

Mr. KUNZIG. Mr. Delaney subsequently stated that the Sam Kaplan to whom he referred was a schoolteacher and that he had heard that Sam Kaplan and his wife Ruth Kaplan had been expelled from the Communist Party in late 1950 due to his wife sending out truth letters which criticized the leadership of the Communist Party of Philadelphia.

Were you expelled from the Communist Party in late 1950 because of your wife having sent out a truth letter criticizing the leadership of the Communist Party?

Mr. KAPLAN. I refuse to answer that question on the grounds indicated earlier.

Mr. KUNZIG. And the fact that you refuse to testify when we hit December 1950, has nothing to do with that question?

Mr. KAPLAN. I refuse to answer the question.

Mr. KUNZIG. You refuse to answer as to whether you were a member of the Communist Party from December 1950 back before that time?

Mr. KAPLAN. That is right.

Mr. KUNZIG. Where were you born?

Mr. KAPLAN. Norristown.

Mr. CLARDY. Witness, to pinpoint this a little more, do I understand then that on December 31, 1950, you are refusing to answer as to whether you were or were not a member of the Communist Party?

Mr. KAPLAN. Yes, sir.

Mr. CLARDY. How about January 1, 1951, and I am speaking of the day.

Mr. KAPLAN. Yes.

Mr. CLARDY. Yes, what?

Mr. KAPLAN. I was not a member of the Communist Party.

Mr. CLARDY. But you will not answer as to the day previous?

Mr. KAPLAN. Yes, sir.

Mr. CLARDY. You are getting me confused by the answer. On January 1, 1951, you are very positive you were not a member, but as to the day preceding that, you refuse to answer.

Mr. KAPLAN. Yes.

Mr. CLARDY. Thank you.

Mr. KAPLAN. It is the way you put the question.

Mr. CLARDY. I appreciate it. I did not phrase it that way accidentally.

Mr. KAPLAN. I am not an English teacher for nothing.

Mr. KUNZIG. Was this a New Year's resolution on that night?

Mr. KAPLAN. I refuse to answer.

Mr. KUNZIG. Mr. Kaplan, in 1946, this committee is in possession of sworn testimony that you were a member of branch forty, f-o-r-t-y, -C of the central Philadelphia section of the Communist Party. Were you such a member?

Mr. KAPLAN. I refuse to answer that on the grounds given before.

Mr. KUNZIG. Were you a member of the Teachers' Union in Philadelphia, Local Number 556?

Mr. KAPLAN. Will you repeat the question?

Mr. KUNZIG. Were you a member of the Teachers' Union of Philadelphia, Local No. 556?

Mr. KAPLAN. Yes.

Mr. KUNZIG. During what years were you a member?

Mr. KAPLAN. After I came out of the service.

Mr. KUNZIG. Which was roughly when?

Mr. KAPLAN. I came out of the service and back to Philadelphia the beginning of November. I did not start teaching immediately, so it was at the end of 1945. To the best of my knowledge, that is. It was toward the end of 1945 and perhaps at the beginning of 1946.

Mr. KUNZIG. Until what year were you active?

Mr. KAPLAN. Until the year that it went over into the State, county and municipal workers.

Mr. KUNZIG. This was the CIO group. Are you still a member of the Teachers' Union under its new name?

Mr. KAPLAN. Yes; I am.

Mr. KUNZIG. You have been a member of this group consecutively from the date of 1945 until the present date, as it was local 556 and then became independent, I believe, in February 1953. They became an independent group.

Mr. KAPLAN. Whatever the time was.

Mr. KUNZIG. You are still a member?

Mr. KAPLAN. Yes.

Mr. KUNZIG. Were you in 1949 a member of the executive board of the Teachers' Union?

(At this point Mr. Kaplan conferred with Mr. Sawyer.)

Mr. KAPLAN. Yes.

Mr. KUNZIG. You were?

Mr. KAPLAN. As far as I can remember I was.

Mr. KUNZIG. Tell us the dates, to the best of your memory, when you were a member of the executive board of the Teachers' Union of Philadelphia.

Mr. KAPLAN. It is hard to remember. From 1946 or 1947 or 1948 or in that area.

Mr. KUNZIG. You became a member in 1945. Did you go on the executive board immediately the next year?

Mr. KAPLAN. No, I am trying to recall. It is possibly 1947 or possibly 1948.

Mr. KUNZIG. Until when?

Mr. KAPLAN. Until the present.

Mr. KUNZIG. You are still a member of the executive board of the union?

Mr. KAPLAN. Yes.

Mr. KUNZIG. This committee is in possession of sworn testimony, Mr. Kaplan, that in 1950 you were an organizer of section 12 of the Communist Party, district 3, is that correct?

Mr. KAPLAN. I refuse to answer that question on the grounds given earlier.

Mr. KUNZIG. On May 17, 1950, did you hold a Communist Party fund drive in your home, attended by various school teachers from the city of Philadelphia?

Mr. KAPLAN. I refuse to answer that question, also on the same grounds.

Mr. KUNZIG. Isn't it a fact that you were thrown out of the Communist Party because you criticized the Philadelphia leadership of the party in that Robert Klonsky, Edward Strong, and Benjamin Weiss were in hiding for their personal safety and you criticized the leadership for that fact, and they threw you out?

Mr. KAPLAN. I refuse to answer that on the ground and for the reasons given.

Mr. KUNZIG. I have no further questions.

Mr. VELDE. Do you have any questions, Mr. Clardy?

Mr. CLARDY. I am a little at a loss to understand your refusal to answer that last question. Is it your position that by refusing to tell us the facts as to whether you were thrown out of the Communist Party you will in some way incriminate yourself?

Mr. KAPLAN. Yes, sir.

Mr. CLARDY. You think that would be a violation of some law of the land because you might be prosecuted under it, the mere fact that you were thrown out of the Communist Party?

Mr. KAPLAN. Yes, sir.

Mr. CLARDY. You teach what besides English?

Mr. KAPLAN. English.

Mr. CLARDY. Just English?

Mr. KAPLAN. Yes, just English.

Mr. CLARDY. Well, maybe that explains it.

Mr. KUNZIG. Mr. Kaplan, I would like to ask you one more question. We have sworn testimony to the effect that December 17, 1949, at a meeting where a class was being held on Marxist theory and dialectical materialism, the question came up about your being a Communist teacher and your not agreeing with the manner in which the school was operated.

We have testimony to the effect that there was a lengthy discussion as to whether you should continue to follow your chosen profession or seek other employment and you did not agree with the way the schools were being operated. Is such a fact?

Mr. KAPLAN. I refuse to answer that question on the ground that it might tend to incriminate me.

Mr. KUNZIG. This meeting was alleged to have been held at your own home. Do you recall the meeting on December 17, 1949, at your own home with Communist school teachers at the Communist Party meeting?

Mr. KAPLAN. I refuse to answer that question on the grounds given.

Mr. KUNZIG. No further questions, Mr. Chairman.

Mr. VELDE. I would like to make an announcement before we adjourn.

The witness may be excused.

The other witnesses who have been called and have not testified are continued. Their subpoenas are continued until tomorrow morning at 10:30 o'clock when we will resume these hearings.

Until that time, we will stand adjourned.

(Whereupon, at 4:21 p. m., the hearing was adjourned until 10:30 a. m., of the following day.)

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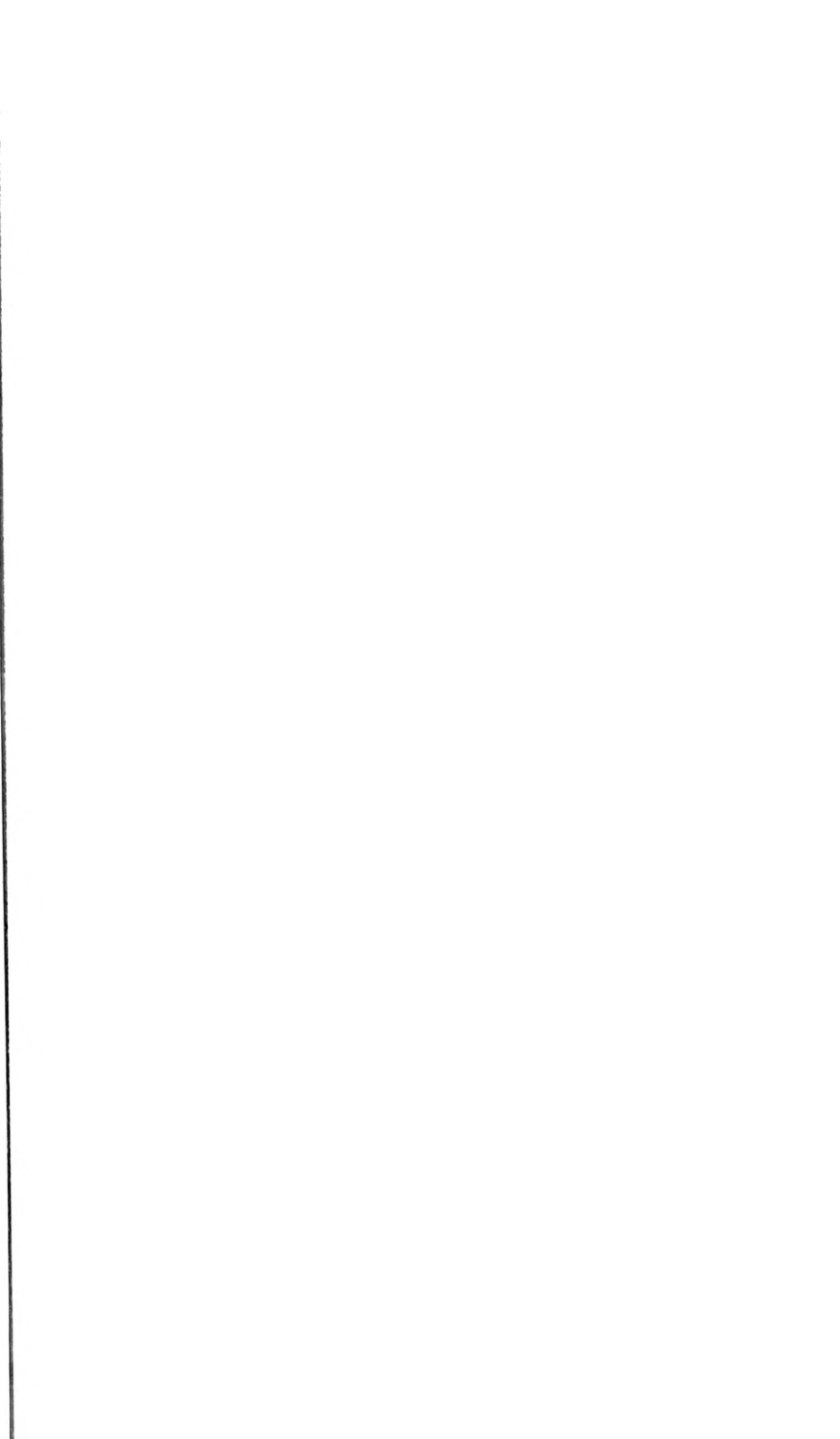
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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE
PHILADELPHIA AREA—Part 2

HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-THIRD CONGRESS
FIRST SESSION

NOVEMBER 17 AND 18, 1953

Printed for the use of the Committee on Un-American Activities

INCLUDING INDEX



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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.
(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5, January 3, 1953

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE PHILADELPHIA AREA—PART 2

TUESDAY, NOVEMBER 17, 1953

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
Philadelphia, Pa.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to adjournment, at 10:33 a. m., in courtroom No. 1, United States Courthouse, Ninth and Chestnut Streets, Philadelphia, Pa., Hon. Harold H. Velde (chairman), presiding.

Committee members present: Representatives Harold H. Velde, Kit Clardy, and Francis E. Walter.

Staff members present: Robert L. Kunzig, counsel; Earl Fuoss, and C. E. McKillips, investigators; and Juliette P. Joray, acting clerk.

Mr. VELDE. The subcommittee will be in order.

Mr. Counsel, will you proceed?

Mr. KUNZIG. Will Mrs. Dorothy K. Funn please step forward.

Mr. VELDE. Will you raise your right hand? In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. FUNN. I do.

TESTIMONY OF DOROTHY KELSO FUNN

Mr. KUNZIG. Would you state your full name, please?

Mrs. FUNN. Mrs. Dorothy Kelso Funn.

Mr. KUNZIG. What is your address?

Mrs. FUNN. 1352 Union Street, Brooklyn.

Mr. KUNZIG. New York?

Mrs. FUNN. That is right, Brooklyn, N. Y.

Mr. KUNZIG. I see that you are not represented here by counsel this morning. Do you desire to have counsel, or are you satisfied to testify without counsel?

Mrs. FUNN. I did not feel that I would need counsel.

Mr. KUNZIG. Would you give the committee a brief résumé of your educational background?

Mrs. FUNN. Well, I was born and brought up in Brooklyn and did all my schooling in Brooklyn. I graduated from elementary school and then from Girls High School and went on to Maxwell Training School for Teachers.

After completion of that course I began teaching as a regular teacher in the New York City school system February 1, 1923.

Mr. KUNZIG. Would you tell us your employment background, your teaching experience?

Mrs. FUNN. Yes. I taught continuously from February 1923 until February 1943 when I resigned from the school system. I was out of the school system for 4 years and returned to the New York City school system in February 1947.

Mr. KUNZIG. Are you presently a teacher, Mrs. Funn?

Mrs. FUNN. I am presently a teacher in the upper classes of the New York public elementary schools.

Mr. KUNZIG. Mrs. Funn, I want to ask you whether you have ever been a member of the Communist Party?

Mrs. FUNN. Yes, I was a member of the Communist Party. I joined that organization in May 1939 and I got out of it, I might say, physically, ideologically before that, but physically I would say approximately June 1946.

Mr. KUNZIG. I take it then that you are not now a member of the Communist Party?

Mrs. FUNN. I am not.

Mr. KUNZIG. Would you tell the committee, please, Mrs. Funn, how you became a Communist?

Mrs. FUNN. Well, I will have to give you a little personal background, if I may.

Mr. KUNZIG. I would appreciate it if you would go into some detail.

Mrs. FUNN. First of all, teaching in Brooklyn and with children in the community, I was interested in the problems facing the community, specifically in problems facing Negro children and the Negro residents in Brooklyn, and also things on a national scale.

Of course, my very great interest stemmed from the fact that I am also a Negro.

I was teaching in a low, depressed area of predominantly Negro children and I was interested in working with the parents and so on. There was a teacher there who seemed to be vitally interested in the children and the problems of the community and started, I might say, leading me on into more work to which I did not object, and finally he came to the point of exposing his membership in the party and asking me to become a member of the Communist Party, as the Communist Party being the most forthright organization fighting for the rights of Negroes.

Having heard some of his discussions and also having read some of the propaganda that the Communist Party had put out concerning their fight for Negro rights, I felt then that that was the organization I should join.

Mr. KUNZIG. And you did then join?

Mrs. FUNN. And I did join in May of 1939.

Mr. KUNZIG. Did other teachers in New York join the Communist Party, if it lies within your personal knowledge?

Mrs. FUNN. Yes; there were great numbers of other teachers who joined the Communist Party.

As I stated a moment ago, the teacher who recruited me was a member of the Communist Party.

After I became a member of the Communist Party I met with other teachers who were members of the Communist Party. We had regular meetings every 2 weeks of the Communist Party teachers.

Mr. KUNZIG. Would you describe for us in some detail what these meetings were like, what took place at these meetings in New York of the Communist teachers?

Mrs. FUNN. Well, we teacher members of the Communist Party met in a group after school and at that time we were given theoretical education in Marxism and Leninism. We also would have discussions from time to time on specific issues that were printed in the Daily Worker, which really was a guide for Communists all over the city, and I should say the Nation, in what their steps and next steps should be in a particular situation.

We also discussed certain matters that would be coming up at the Teachers' Union meeting and what our stand should be. Of course, any discussion on Teachers' Union membership meetings and the stand that we should take came from a teacher Communist who had gotten the line from the party itself over on West 12th Street, New York.

Mr. KUNZIG. Since you mentioned the Teachers' Union, you are referring to the New York Teachers' Union?

Mrs. FUNN. Yes.

Mr. KUNZIG. Would you describe what relationship there was between that and the Communist Party, if any? Was there any infiltration?

Mrs. FUNN. As far as I knew the relation was that Teachers' Union problems were guided evidently by the party and I say "evidently" because this specific teacher member of the union acted as a liaison between teacher-comrades, Teachers' Union members and the party. So what we were to do in the Teachers' Union membership meeting was told to us by this teacher-Communist liaison.

Mr. KUNZIG. Did you pay dues to the Communist Party?

Mrs. FUNN. Yes, the dues were paid monthly. You paid on a scale according to your yearly salary. However, there were other assessments. For instance, I paid \$2.50 a month. That was collected at my party meeting and at the same time there might be a collection for the Daily Worker drive. There might be a collection for the Communist Party fund drive. There might be a collection for somebody in some place or other who was in particular straits of some kind who was connected with the Communist Party, and I might say this, too, that the teachers were a great source of revenue to the party. Whenever anything of major capacity came up for financial assistance, the teachers were the first ones who were contacted for payment in large assessments.

Mr. CLARDY. May I ask a question, Mr. Chairman?

Mr. VELDE. Yes, Mr. Clardy.

Mr. CLARDY. Mrs. Funn, we have heard testimony about this before, but I wish you would enlarge on it a little bit. The Communist Party does have an assessment system, the percentage of what you earn and the percentage may vary from individual to individual as fixed by the party functionaries, is that true?

Mrs. FUNN. That is true.

Mr. CLARDY. So that in the case of the teachers, even in the same pay bracket, some of them may have to pay because someone may arbitrarily set a figure that they should kick in with. Wasn't that true in some instances?

Mrs. FUNN. As far as the party dues themselves are concerned.

Mr. CLARDY. Overall.

Mrs. FUNN. Well, overall you might take on an obligation of \$300 for the fund drive. However, somebody else in your same salary bracket may say "I cannot do that so I will only take on an obligation of \$150." But within a certain length of time you had to have your obligation in to whatever amount you had pledged.

Mr. CLARDY. Were you ever called upon to make contributions to funds for the defense of Communists who might be under indictment by the Federal Government or in some other difficulty?

Mrs. FUNN. As I recall, I did not come under that, generally speaking. However, back at the time when Earl Browder was in jail I did have such an assessment at that time. I was asked to give such an amount, as all of us in that teachers party group were asked to do, to give an amount for the Browder campaign.

Mr. CLARDY. As I understand it, then, the gross amount realized from the teacher members was, in your judgment, a fairly large figure?

Mrs. FUNN. Yes.

Mr. KUNZIG. Did you have occasion to go to a Communist school for teachers?

Mrs. FUNN. Yes, Mr. Kunzig, I did.

Mr. KUNZIG. Will you describe that, please?

Mrs. FUNN. I would be glad to. I would like to say something else, too, at the time. No matter what innocent bystanders may say or think, the Communist Party was making every effort to school teachers along the lines of Marxism-Leninism in order that they might be a great force in socialism for which they were working here in America. I could follow that with a little statement here, but if you prefer I go on and tell about the school itself, I can, although it ties in together.

Mr. KUNZIG. If you have a statement there, please proceed.

Mrs. FUNN. Yes, I do. It is one of the Communist Party bibles. This particular pamphlet or magazine is entitled "The Communist" and it is dated May 1937 and this article is on the schools and the people's front.

Mr. KUNZIG. Was this article used as a bible for your Communist teacher groups during the years you were a member from 1939 to 1946?

Mrs. FUNN. It was used in teaching, and also I had not thought of it as such, I had read it, yes, and had certainly taken in what was said in it, yes, and from time to time there were quotes given in it as the responsibility of a good Communist teacher in the United States today.

This was written by Richard Frank and is entitled "The School and the People's Front."

It says:

While teachers are part of the working class, their function differs vastly from that of the industrial worker. Communist teachers cannot afford to ignore this fact—that they come in contact with the children of the masses, that they are

responsible for training these children. They must realize the primary function of the school is to educate these children, and this will be true to a much greater extent in a socialist society than now. Communist teachers are, therefore, faced with a tremendous social responsibility. They must consider not merely their own teacher problems, but the problems of the children. They must fight for the latter. They must mobilize the other teachers in this fight. They must take advantage of their positions, without exposing themselves, to give to their students to the best of their ability working-class education.

To enable the teacher in the party to do the latter, the party must take careful steps to see that all teacher comrades are given thorough education in the teachings of Marxism-Leninism.

Which of course is part of what you want me to tell you about the school to which I was sent.

It also says here:

Only when teachers have really mastered Marxism-Leninism, will they be able skillfully to inject it into their teachings at the least risk of exposure and at the same time to conduct the struggles around the schools in a truly Bolshevik manner.

To further illustrate the Communist Party position on Communist teacher responsibilities:

A people's movement around the school can thus transform the latter into popular forums for progressive social action—ultimately into forums for the revolution.

Now, I entered the party, as I stated, in May of 1939. About the second meeting after I had joined, this matter of a Communist state school came up. They were asking that teachers of New York City apply and attend this state school. I was, as you know, very new in the party and therefore knew nothing about a school. To me a school was a school like those I had already attended, and I said, "If this is a special school I should like very much to go."

Generally speaking, no one was allowed to attend these schools unless he had been in the party for a year. But, since I was vouched for, I was finally O. K.'d to go, after several conferences with the educational director for the New York State Communist Party.

On July 4, 1939, I left for that school and attended the school outside of Kingston, N. Y., for 6 weeks. In that school we carried out the tenets of the article that I have read to you. We were schooled.

Mr. KUNZIG. What kind of people went to this school?

Mrs. FUNN. Teachers.

Mr. KUNZIG. Only teachers?

Mrs. FUNN. Except for about three people. They felt that they should have some working-class people there, not all professionals. There were 30 of us. Twenty-seven of us were teachers in New York City.

Mr. KUNZIG. This was the particular 6-week class which you attended?

Mrs. FUNN. That is right. Now may I add this. Not only were they taking care of the professionals, teachers, and so forth, in New York State, but simultaneously with our school there was another school going on 30 miles away at Briehl's farm, which was called the National School, and at the National School there were in attendance people who were not teachers but were heads in large organizations of one kind or another over the Nation. That is why it was called the National School because those people were drawn from all over the United States, but as I say, in my school we were all from New York City, we were all schoolteachers except for three.

We were schooled in Marxism-Leninism. We had one man, Alberto Moreau, who was head of the school and did most of the teaching. We had visiting professors who gave us other parts of the Communist Party doctrine. And at the end we graduated.

Mr. KUNZIG. Was the basic thing taught the idea that you were to inculcate and influence children that came under you along Communist lines?

Mrs. FUNN. We were to inculcate and influence children, parents, community organizations within which we were working. In other words, we were to do a job for the Communist Party in whatever way we possibly could and as well respected citizens in the community, teachers, we would be in a better position to carry on their work than some others would.

Mr. KUNZIG. Recently the Subversive Activities Control Board in Washington, D. C., handed down this order and opinion on the Communist Party of the United States. I would like to read just a few words from page 181 of that report and ask you if this fits in with your personal experience that you have just described to the committee.

The report says:

Respondent has schools which had been conducted under varying degrees of secrecy. During periods of strict secrecy, including the periods of 1939-41 and 1948-50, extraordinary precautions were taken to conceal the existence of these schools and the names of the trusted party members who were selected to attend them.

They—

carried out instructions to observe stringent concealment regulations in order to preserve their secrecy shrouding the existence of these schools.

Did that fit in with your personal experience?

Mrs. FUNN. Absolutely. We were completely isolated. We were not allowed to go out, even down the road. We did take one trek into the town of Kingston to movies one night, but we had to go together and we went in together and came out together and had a soda together and got in the truck and were taken back to the farm together and they said that was for security reasons because of our positions in the school system in New York City.

Mr. KUNZIG. If it lies within your knowledge, how many teachers within the last few years have been dismissed from the school system in New York for allegedly subversive activities?

Mrs. FUNN. Well, I can only give you an approximation.

Mr. KUNZIG. Yes.

Mrs. FUNN. I would say approximately 90. Now, among those, may I also add, some were dismissed, some received communications, as I understand it, to appear before the council for the board of education, but resigned or left before coming up for a hearing.

Mr. KUNZIG. When you say 90, is that n-i-n-e-t-y?

Mrs. FUNN. Yes.

Mr. KUNZIG. Do you know any Philadelphia teacher or teachers from your own personal experience and your own personal knowledge who are or were members of the Communist Party?

Mrs. FUNN. I know only one who was a member of the party, and I understood that years ago she had her disagreements, and as I will put it, had seen the light and had left the party. I knew her because

she came to New York to attend a school similar to the ones I have described, and stayed at my house for the time that she was attending.

Mr. KUNZIG. Roughly what year was that, to the best of your knowledge?

Mrs. FUNN. It must have been 1941, 1941 or 1942.

Mr. KUNZIG. If it lies within your knowledge, then, as far as you know at the present time, this person is not a member of the Communist Party but was a member when you were a member?

Mrs. FUNN. That is right.

Mr. KUNZIG. What is the name of that person?

Mrs. FUNN. Goldie Irvin Watson.

Mr. KUNZIG. Would you spell that, please?

Mrs. FUNN. G-o-l-d-i-e, and I am not sure whether it is I-r-v-i-n or I-r-v-i-n-g Watson, W-a-t-s-o-n.

Mr. KUNZIG. Mr. Chairman, there is a Goldie Irvin Watson whom investigation has shown was a teacher and is a teacher at the present time at the Martha Washington School in Philadelphia.

Am I correct that you later became a legislative representative for the National Negro Congress?

Mrs. FUNN. That is right.

Mr. KUNZIG. This is for the period during the time when you left the New York school system; is that right?

Mrs. FUNN. That is right. As I stated, I left the New York school system in February 1943 and the following November 1943 I went to Washington as the legislative representative for the National Negro Congress, and remained in that position until late 1946, about December 1946, when I returned to New York and then went back into the New York school system.

Mr. KUNZIG. Was the National Negro Congress a Communist organization?

Mrs. FUNN. Yes, it was.

Mr. KUNZIG. And you were in there as an avowed Communist?

Mrs. FUNN. Yes.

Mr. KUNZIG. Was your function or supposed function to fight for the rights of Negroes?

Mrs. FUNN. That was the function so stated when I first became associated with the National Negro Congress, and when I became the legislative representative for the National Negro Congress it was my understanding that I was going to Washington to lobby for bills that would be made law that would affect the status of the Negro in America against discrimination, for fair employment, against poll taxes, and other such legislation that would be fair to all and to Negro Americans as a part of our United States Government and country.

Mr. KUNZIG. What did you find out in your day-to-day experience with this group?

Mrs. FUNN. Well, I found that in any work of this kind in an organization of that type, which is ruled by the Communist Party, you were not left to your own judgment in any instance. You were constantly kept in contact with the person who was responsible for Communist members' activity in Washington no matter what you might be doing or thinking should be done, you must leave it if it does not conform to what the Communist Party thinks should be done at the time.

That included the work in my organization as well as work in other organizations.

You see, in Washington we had one person who was the legislative representative of the Communist Party who I might say kept us on the line at all times. He attended our Communist Party meetings and he telephoned us if necessary. He contacted us on the side if necessary, at any time and all times in order to make sure that we were taking up bills and going through the actions that the Communist Party stated should be done.

Mr. WALTER. Who was that person?

Mrs. FUNN. Albert Blumberg.

Mr. WALTER. With what association was he officially connected?

Mrs. FUNN. He was the legislative representative for the Communist Party, U. S. A., living in Baltimore and doing his work in Washington. Ofttimes we found in our Communist Party meetings that there would be Congressmen to be contacted which Blumberg as the open representative of the party could not do. Therefore we legislative representatives meeting as Communists took assignments and saw the Congressman on the specific pieces of legislation and that came directly from Albert Blumberg who had gotten his directives directly from the upper echelons of the party, and I know that because he went to New York regularly once a week and sometimes more often to meet with the Communist Party leaders at the national office.

Mr. CLARDY. He was your political commissar; is that right?

Mrs. FUNN. That is right; he was my political commissar.

Mr. KUNZIG. Mrs. Funn, do you feel that the Communist Party was sincerely desiring to help the Negroes in America?

Mrs. FUNN. Well, it is because I saw that they were not desirous of helping the Negroes that my eyes began to open up to everything and I did sever my relations with them.

Mr. KUNZIG. I was just going to ask you whether you severed your relations with the party.

Mrs. FUNN. It was my feeling that the Negro question, as it was called by the Communists, was just one more tactic in their plan to take over America and turn it into another Soviet so that they used the minorities and they tried to get their base in the unions. They would get their people among the intellectuals. There was no phase of American life to which they did not try to appeal in order to carry out their main objective of socialism for America and the elimination of our form of Government.

Mr. KUNZIG. Why, personally, did you break? You were just starting to tell us that.

Mrs. FUNN. Well, I broke because I found that just as I have said my interest in the problems of the Negroes here in America for social and economic freedom were not their true interests, although they wrote much on it and they spoke much on it. It was just not the organization for the things that I thought needed to be done on the status of the Negro in America. Not only thought, but I saw and I knew that it was not true. If there was some cause celebre coming up—a terrible thing of lynching or of some discrimination—immediately they jumped upon that, you see, as a means of catapulting the organization into the press and for drawing in more people into the organization and then nothing happened because the means at our

disposal, the Government agencies and so on, they were not willing to go through those channels. Everything was geared to revolution and Socialist Soviet America.

Mr. CLARDY. That takes me back to something that you read, the last sentence in the excerpt from the book. Will you refer to that again? I intended to question you at the time but you were developing a thought and I did not want to interrupt there. Would you read that sentence over?

Mrs. FUNN. It is as follows:

A people's movement around the schools can thus transform the latter into popular forums for progressive social action—ultimately into forums for the revolution.

Mr. CLARDY. A little over a week ago I sat in a courtroom where 6 Communists were being tried for violation of the Smith Act in Detroit, Mich., and I listened to the reading of page after page of testimony that dealt with the very subject of revolution.

My question is this, Is it not a basic Communist tenet that the social revolution will never be accomplished except through force and violence? In other words, is not the Communist Party completely out of sympathy with the Socialist Party because the Socialist Party seems to think that the same goal can be reached by what they call the democratic process or the use of the processes set up under our Constitution, whereas the Communists say that is tommyrot. The only way to get it is to chop off heads and take over forcibly. Is that not the substance of what you were taught and told in the textbooks which you studied?

Mrs. FUNN. Yes, because after all our basic reading matter was Marxism-Leninism, and the whole history of the revolution in Russia and the taking over of the country by the Communists at the time that Lenin and then Stalin went into power and it was not done by a Socialist revolution. It was done through blood being shed, and if you are studying this particular history as a basis for your future action, there is nothing else that one can do but conform and therefore by bloody revolution we will do the same thing that was done in Russia.

Mr. CLARDY. Yes, I noted it all through the pages of the text that was read, and of course I read a great deal of it before that, and one common thought was to be found, and that was that the dirty capitalists, as they call everyone else, would never succumb peacefully. It was foolish and idle to talk of it, and therefore the only remedy for the proletariat was to get out the tommygun and whatever else was required.

That was the essence of what they were told to teach you so that you in turn as a teacher might impart subtly that idea in the minds of our youth.

Mrs. FUNN. That is right.

Mr. CLARDY. Go ahead, Mr. Counsel.

Mr. KUNZIG. I have one further question, Mrs. Funn. Do you feel that in your own life and in your own teachings with the children in your case with whom you came in contact that you influenced them along the lines that the Communist Party wished you to?

Mrs. FUNN. I could not help but do it. When one is schooled in this sort of education or whatever you want to call it for a certain length of time, it becomes a part of you. Whether I am standing

before a class or whether I am doing work in the community outside, there is no way possible that you can divorce yourself from what has become your guiding philosophy. I cannot walk into the classroom and teach one thing and then walk outside and do something else.

If I am a Communist following the Communist Party line and their teachings, it becomes a part of my life.

Mr. CLARDY. You surrender yourself completely, your soul and your mind, when once you become a member?

Mrs. FUNN. Absolutely.

Mr. KUNZIG. I have no further questions.

Mr. VELDE. Mr. Walter, do you have any questions?

Mr. WALTER. No questions.

Mr. VELDE. I have no questions.

Mr. KUNZIG. Thank you, Mrs. Funn. You are excused at this time.

Mr. VELDE. Call the next witness.

Mr. KUNZIG. I call Esther Soler.

Mr. VELDE. Do you solemnly swear that in the testimony you are about to give before this subcommittee you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mrs. SOLER. I do.

Mr. CLARDY. It is against our rules to permit you to address the committee, Mr. Counsel. If you wish to advise your witness to make some objection of some sort we will be glad to permit you to so advise your client.

Mr. McCABE. I will conduct myself with those rules.

Mr. CLARDY. Under our rules we do not permit counsel to take an active part by addressing the bench at any time and it would be extremely bad for us to make an exception in this case, eminent though I know you are, as I have been assured by Mr. Walter, in the profession in this State. If the witness has some objection to make, she may state it.

Mrs. SOLER. I just wanted to say that I am not refusing to be televised but I do want to make protest to the fact of how a person can consider calmly with the men in front gyrating and contorting to get their pictures, and the lights glaring and the heat of the whole situation makes it difficult, and I feel that I would like to utter that protest, but I would like to ask this question; If at any time during the testimony of myself that it becomes impossible may I at that time request that all of this be stopped, television and lights?

Mr. CLARDY. May I explain before you give any testimony and give any answer I shall instruct the still photographers to quit taking pictures and if you object to that during the progress of your testimony I shall then instruct them to withhold it until a recess or until your permission is given for any more pictures.

Now are you objecting to the television?

Mrs. SOLER. I am not objecting to the men taking the picture right now.

Mr. CLARDY. You may later.

Mrs. SOLER. May I at that time?

Mr. CLARDY. You may, and you may consult with your counsel about the time to do it and the way to do it. We will be most cooperative.

Mrs. SOLER. All right, at that time when I make the request will I again have to listen to a 5-minute ruling from the Chair as to the dispersal of the television because I want it stopped at the moment I ask for it.

Mr. CLARDY. Mr. Kunzig, will you proceed?

Mrs. SOLER. You did not answer my question.

Mr. KUNZIG. Shall I proceed?

Mr. CLARDY. Yes.

TESTIMONY OF ESTHER SOLER, ACCOMPANIED BY HER COUNSEL LOUIS F. McCABE

Mr. KUNZIG. Would you state your full name, please, for the record?

Mrs. SOLER. My name is Esther Soler.

Mr. KUNZIG. Is that Miss Soler?

Mrs. SOLER. Mrs. Soler.

Mr. KUNZIG. Would you please give your address?

Mrs. SOLER. 5243 Lebanon Avenue.

Mr. KUNZIG. Is that in Philadelphia?

Mrs. SOLER. Yes.

Mr. KUNZIG. I note that you are accompanied by counsel. Would counsel please state his name and office address?

Mr. McCABE. Louis F. McCabe, 1218 Chestnut Street, Philadelphia, Pa.

Mr. KUNZIG. Mrs. Soler, are you presently a teacher?

Mrs. SOLER. Yes; I am.

Mr. KUNZIG. Where?

Mrs. SOLER. I am now employed at the William B. Mann School at 54th and Burke Streets.

Mr. KUNZIG. That is an elementary school?

Mrs. SOLER. Yes.

Mr. KUNZIG. What grade do you teach?

Mrs. SOLER. I am presently teaching the fourth grade, and last year I taught the second grade and I taught the classes from first to fourth.

Mr. CLARDY. Did you not include the city of Philadelphia? Did you say she teaches in the city of Philadelphia?

Mr. KUNZIG. Yes.

Would you kindly give the committee a brief résumé of your educational background?

Mrs. SOLER. I went to the New York public school system, I guess the first 2 years of my elementary education and then continued at the Philadelphia schools.

I graduated from the Sharswood Elementary School, graduated from South Philadelphia High School.

Mr. KUNZIG. In what year?

Mrs. SOLER. Well, that is difficult. I graduated from the Philadelphia Normal School for Girls in 1928 and at that time it ran a 2-year course for teachers and so I graduated from the Philadelphia High School for Girls in 1926.

Since my graduation from the Philadelphia normal schools I have taken postgraduate courses which the Philadelphia Normal School gave after our graduation and I have continued to take in-service

courses which the Philadelphia Board of Education has given when new guides are presented to the school system and we are availed of the opportunity to take these courses.

Mr. KUNZIG. When did you become a teacher?

Mrs. SOLER. You mean when was I appointed to teaching?

Mr. KUNZIG. Yes.

Mrs. SOLER. I was appointed in the month of March 1930. I have been teaching for 23 years.

Mr. KUNZIG. In what schools have you taught in Philadelphia?

Mrs. SOLER. Well, I have taught only in—are you asking me also the schools in which I taught when I substituted for a year?

Mr. KUNZIG. Let us take the schools at which you taught from 1930.

Mrs. SOLER. At the Francis Read School from 1930 to 1936 and then again in the Francis Read School from 1937 to about 5 years ago when I asked for a transfer to the William B. Mann School, and I have been teaching at the William B. Mann School for those 5 years.

Mr. KUNZIG. This committee is in possession of testimony under oath that you were a member of the professional section of the Communist Party. Have you ever been a member of the Communist Party?

Mrs. SOLER. At this point let me answer this question by pulling out my loyalty oath, reading from it if I may, that I am not a subversive, which is what I had to sign here. May I read it?

Mr. KUNZIG. That was not the question, Mrs. Soler. The question is, Have you ever been a member of the Communist Party?

Mrs. SOLER. All right then, let me answer it this way. I am not going to answer any question as to my political beliefs before April 1, 1952, or, rather, the 14th day of March of 1952, for this reason, when I go to the polls I am guaranteed the privacy of my politics, am I not? When I go to the polls I am. I would not have even admitted to the signing of this loyalty oath to my present loyalty if I had not signed this loyalty oath and it were a matter of public record.

I have answered that question, and I would not have answered if I had not signed this loyalty oath because a seemingly harmless answer today in this climate could be taken by a politically ambitious prosecutor and built step by step into some very far-fetched accusations of my wrongdoing against my country, and on that basis I am invoking the fifth amendment.

I am also invoking the first amendment. I know that Senator Velde or Senator Clardy—I don't know which of the two—yesterday said, and I quote the word, that it was “nauseating”——

Mr. VELDE. Let us correct the title.

Mrs. SOLER. Should I say Congressman? Is that the correct title? Anyway, he said it was nauseating to hear people repeating the first amendment, but our Founding Fathers put that first amendment in to protect us from just such inquisitions and I am not going to be a party to subverting the first amendment.

So, under the first amendment and under the fifth amendment for reasons which I gave and further under the fifth amendment because today the legal mind—and I am not a legal-minded person——

Mr. VELDE. You have been called here to answer some questions relative to subversive activities in which the committee has information you have engaged. We would welcome any information that

you have relative to your own activities in the Communist Party in this area or anywhere throughout the United States, but we are fully informed as to the fifth amendment, the first amendment and all other amendments in the Bill of Rights and it is just wasting our time and it is wasting your time, too, to go on with this type of argument, and so I now direct you to answer the question or refuse to answer it, stating your legal grounds.

Mrs. SOLER. You are asking me to answer a question in one word, a question which may determine the loss of my livelihood, my reputation, my family's reputation, when yesterday you gave Mrs. Bella Dodd 2 hours of time and this morning you gave Mrs. Funn much more time. Her questions were not answered in one word. Why are you confining me to one-worded answers?

Mr. WALTER. Of course, the difference is that Mrs. Funn answered the question and you are refusing to answer the question.

Mrs. SOLER. But you said you are giving me an opportunity to answer questions.

Mr. VELDE. Please answer the question.

Mrs. SOLER. But I must answer the question.

Mr. VELDE. This question is a very simple one. Were you ever a member of the Communist Party? It can be answered yes or no. Or you can refuse to answer it.

Mrs. SOLER. It is not a simple question in today's climate and the fact that my name already has been prejudiced since a month ago. My employers knew of this subpoena a month ago.

Mr. CLARDY. May I suggest that I think she answered a while ago that she was refusing to answer on the basis of the first and fifth amendments and I suggest counsel go along.

Mr. VELDE. Is that what the committee understands, that you do refuse to answer on the basis of the first and fifth amendments?

Mrs. SOLER. May I say this, I want to answer the questions in my own way.

Mr. CLARDY. She is standing on the fifth amendment and we have not been in the habit of permitting them, particularly laymen, to explain the law to us. We are thoroughly aware of it.

Mrs. SOLER. Except that when people invoke the fifth amendment people are considered guilty of hiding something.

Mr. CLARDY. My opinion is that you are hiding something or you would have answered the question.

Mrs. SOLER. I am here, in my opinion, as a defendant and a suspect which you have just made the point, and therefore I want to demand the right that I be allowed to advance my reasons for invoking the fifth amendment.

Mr. VELDE. Let me disabuse your mind on that. You are not here as a defendant and are not charged with anything. You are here to answer any question within our jurisdiction we want to ask of you, and to do our duty. We expect you as an American citizen to answer the questions that are asked of you in order that we might get on with the work that we are obligated to do by the people of this country.

Mrs. SOLER. I know that you have the obligation but I want to say this, that my employers, from the principal and the superintendent on October 23 knew that I was subpoenaed. In yesterday morning's inquiry, this is what they said "He said no innocent people would be put on the stand."

Mr. VELDE. You are here as a witness. Now, please answer the question.

Mrs. SOLER. Well, in my opinion I have been tried and convicted.

Mr. VELDE. Will you proceed?

Mr. KUNZIG. I ask you next this question: The committee has sworn testimony that you in 1944 held Communist Party membership card No. 78392. Is that information correct and did you have that card?

Mrs. SOLER. I want to consult with my attorney at this point.

Mr. VELDE. You have some letter?

Mr. McCABE. There is some difficulty about this. Yesterday I was told some of my comments went over the air and sometimes I am a little profane and the whole business may be on the air.

Mr. CLARDY. You may retire from the microphone if you wish.

(At this point Mrs. Soler conferred with Mr. McCabe.)

Mrs. SOLER. On that question I am going to invoke the first and fifth amendments in view of this material that was put out the day before the hearing.

Mr. CLARDY. May I disabuse your mind. This committee at no time has released any information about you or any other person that was under subpoena before this committee. If that information got out, then I am afraid it must in some way have come from you. It definitely did not come from the committee.

Mrs. SOLER. I said before that my employers knew about the subpoena, and here is the information in this article. It says that no innocent people would be put on the stand and that there would be a good reason for every witness and every question. That is prejudicing me in the eyes of the people and in the eyes of my employers, and I cannot answer that question under the first and fifth amendments.

Mr. WALTER. You are not being accused of any wrongdoing.

Mrs. SOLER. But the paper said so.

Mr. WALTER. No; it did not. We are of the opinion that you have certain information that would be helpful to us in the work that we have been assigned to do by the Congress of the United States.

Mrs. SOLER. If this committee had demonstrated its sincerity, hearings would have been private and conclusions from the hearings made public after the hearings. We have been prejudiced before the hearings. That is all I can say.

Mr. WALTER. If you would testify under those circumstances, if you would not get behind the first and fifth amendments of the Constitution, we will call you in executive session.

Mrs. SOLER. After a month of this kind of thing I wouldn't stand a chance.

Mr. KUNZIG. This witness was asked, Mr. Chairman, when she was first served if she wanted to testify in executive session, but there was no effort on her part to so testify.

In 1945, the committee has evidence that you held Communist Party membership card No. 85916; is that correct?

Mrs. SOLER. I am going to, as I said before, invoke the first and fifth amendments for any questions prior to March 14, 1952. I know you are going to continue to ask these questions, and in my opinion you are only asking them to smear me.

Mr. CLARDY. Mr. Chairman, there is no question pending.

Mr. VELDE. The gentleman is right.

Mr. KUNZIG. In July 1945 we have testimony that you were a delegate from the professional section of the Communist Party to the district convention of the Communist Party; is that testimony correct?

Mrs. SOLER. May I consult with my attorney?

Mr. VELDE. Certainly.

(At this point Mrs. Soler conferred with Mr. McCabe.)

Mrs. SOLER. I am going to invoke the first and fifth amendments for my reply to that question.

Mr. VELDE. May I say this to the attorney, Mr. McCabe, and the witness, at any time if you desire to confer in private you may do so at your request. If you are afraid that the microphones are on your conversation, you may move back or even out of the room to confer on any of the questions.

Mr. KUNZIG. The testimony also shows, Mrs. Soler, that at this particular session of the convention you were appointed a member of the trade-unions committee of the Communist Party. Were you a member of the trade-unions committee of the Communist Party?

Mrs. SOLER. As I said before, and for the same reasons, I am not answering any question under the first and fifth amendments.

Mr. KUNZIG. You are standing on the fifth amendment on the ground that your answer might tend to incriminate you; is that correct?

Mrs. SOLER. I am answering on the fifth amendment because I feel that any seemingly harmless answer I give may be used again in some farfetched accusation of wrongdoing against me and might be used against me.

Mr. KUNZIG. At the second session of the convention on August 12, 1945, you were elected a member of the district committee. This committee has evidence of that. Is that correct?

Mrs. SOLER. I am again standing on my statement that I am not answering any question before March 14, 1952.

Mr. KUNZIG. You are standing on the fifth amendment?

Mrs. SOLER. On the fifth and first amendments.

Mr. KUNZIG. On September 9, 1945, there is evidence that the Communist Party held a meeting at the Sylvania Hotel in Philadelphia, Pa., the purpose of the meeting being to remove Sam Donchin as district organizer of the Communist Party.

At this meeting we have testimony that you spoke in favor of Donchin and indicated that the national committee of the party was showing personal animosity to this Donchin; is that correct? Did you make such a statement?

Mrs. SOLER. I will stand on the statement I have made time and time again, and I will add to it the 10th amendment. We have a law in Pennsylvania to try subversives. If there is such a law why has there been a hiatus of 20 months?

Mr. KUNZIG. Are you now a member of the Communist Party?

Mrs. SOLER. And I feel that the——

Mr. KUNZIG. Are you now a member of the Communist Party?

Mrs. SOLER. I am not a member of the Communist Party. I attested to that when I signed the loyalty oath.

Mr. KUNZIG. What date did you sign the loyalty oath?

Mrs. SOLER. March 14, 1952.

Mr. KUNZIG. Were you a member of the Communist Party on March 13, 1952?

Mrs. SOLER. I said I would not answer any question before March 14, 1952.

Mr. KUNZIG. So as to March 13 you refuse to answer on the ground that it might incriminate you?

Mrs. SOLER. On the ground of the 1st amendment and the 5th amendment and the 10th amendment.

Mr. KUNZIG. On September 23, 1945, Mrs. Soler, there is evidence that you attended a meeting of the district committee of the Communist Party—

Mrs. SOLER. I am going to answer as I have answered before, that I will not answer any question before March 14, 1952.

Mr. KUNZIG. I haven't asked you any question yet.

Mrs. SOLER. Well, you mentioned the date before 1952. You mentioned 1945.

Mr. KUNZIG. Here is the question: The evidence is that on this occasion you again spoke on behalf of Donchin and pointed out that the change in the party line in regard to Earl Browder was a great selling point among the schoolteachers in Philadelphia. You stated you felt if Donchin were removed from office it would cause a bad reaction among the teachers who were Communists in this city. Is that correct?

Mrs. SOLER. I refuse to answer again as I have said over and over and over again, that I will not answer any question before March 14, 1952. There are so many things that could be used for framing and I am not going to answer on the basis of the 1st and the 5th and the 10th amendments.

Mr. KUNZIG. Were you ever an officer of the Teachers' Union here in Philadelphia?

Mrs. SOLER. I am an officer of the Teachers' Union.

Mr. KUNZIG. When did you first become an officer?

Mrs. SOLER. I will not answer any question before March 14, 1952, particularly on the Teachers' Union, in view of the testimony that was offered here by Bella Dodd, an informer, a person of harm to every decent citizen in the United States.

I will answer questions of my association beginning with March 14, 1952, my social, my political, and my personal life after that date. Previous to that date I will not answer.

Mr. KUNZIG. As to the question as to when you first became an officer of the Teachers' Union in Philadelphia, your answer is that you refuse to answer on the grounds of the fifth amendment?

Mrs. SOLER. On the grounds of the 1st, 5th, and 10th amendments.

Mr. KUNZIG. What position in the Teachers' Union of Philadelphia do you hold today?

Mrs. SOLER. At this point I am a member of the executive board. I was legislative director last year.

Mr. KUNZIG. You were at one time secretary of the Teachers' Union; is that correct?

Mrs. SOLER. I will not answer any question before March 14, 1952.

Mr. KUNZIG. You replaced in that position Sarah Walsh Wepman; is that correct?

Mrs. SOLER. I am proud to be a member of the Teachers' Union which fought against the Peckham law and at a public hearing you yourself tried to introduce—

Mr. VELDE. The statements you are offering are purely voluntary and have nothing to do with the subject matter of this hearing and I would again say that I would appreciate it greatly and admonish you to make your answers yes or no and explain as short as possible, or refuse to answer and state your legal grounds.

Mr. KUNZIG. Is it not correct that you replaced Sarah Walsh Wepman who testified here yesterday, replaced her on April 24, 1946, in this position with the Teachers' Union?

Mrs. SOLER. I will not answer any questions before March 14, 1952, no matter how harmless that answer might be, on the grounds of the 1st, 5th, and the 10th amendments.

Mr. KUNZIG. On October 27 and October 28, 1945, Mrs. Soler, we have sworn testimony that you attended a district conference of the Communist Party at the Commodore Hotel in Philadelphia, is that correct?

Mrs. SOLER. If your sworn testimony is the testimony of people like Bella Dodd I question the sworn testimony.

I will not answer any question before March 14, 1952, on the basis of the amendments I cited.

Mr. KUNZIG. In June 1946 is it not correct that you attended a special conference of the Communist Party, district No. 3, held at the Metropolitan Opera House in Philadelphia on June 21, June 22, and June 23?

Mrs. SOLER. I refuse to answer on the basis of the amendments which I cited.

Mr. KUNZIG. If I said that under oath you were seen attending those and were elected as a member of the district committee and received 216 votes. Will you now answer and admit whether you were present or not?

Mrs. SOLER. I will not answer questions before March 14, 1952.

Mr. KUNZIG. Is it correct that you gave a speech, lecturing on the deficiencies of the school system in Philadelphia and throughout the United States of America?

Mrs. SOLER. I will repeat what I said, that I will refuse to answer.

Mr. KUNZIG. On the basis of the fifth amendment?

Mrs. SOLER. On the fifth amendment? Not on the fifth amendment alone.

Mr. KUNZIG. The fifth amendment is the only thing that the courts have recognized.

Mrs. SOLER. You may not recognize, but I recognize it and the people of the United States recognize it. At this point even the courts are thinking of whether the first amendment must be recognized. I am not going to subvert the first amendment and I am not answering these questions under the 1st, 5th, and 10th amendments.

Mr. KUNZIG. Were you not a delegate to the Communist Party convention we were talking about of the professional group in Philadelphia known as the Benjamin Franklin Section No. 11?

Mrs. SOLER. Again I will repeat what I have said before, under the 1st, 5th, and 10th amendments I will not answer the question.

Mr. KUNZIG. Now I have a question I am most interested in getting your answer on; do you have any special connection or any connection of any kind as a policymaking member of the educational policies committee of the Philadelphia Board of Education?

Mrs. SOLER. I am not.

Mr. KUNZIG. Do you have any connection whatsoever with the educational policies?

Mrs. SOLER. You mean with the board of education?

Mr. KUNZIG. With any committee or group from the board of education.

Mrs. SOLER. I meet with my faculty once a month at a faculty meeting.

Mr. KUNZIG. That is the only group?

Mrs. SOLER. That is the only group I am a member of as far as policy for education is concerned.

Mr. KUNZIG. What are your duties for education? Do you have the classroom group?

Mrs. SOLER. Do you really want to hear them?

Mr. KUNZIG. Do you just have the classroom group?

Mrs. SOLER. That, plus yard duty, plus hall duty, plus millions of other duties where you just do not have time for yourself. I am just a classroom teacher.

Mr. KUNZIG. According to sworn testimony you had quite a bit of time, at least, to attend these various meetings.

I have no further questions, Mr. Chairman.

Mr. VELDE. The witness is excused and the committee will be in recess for 10 minutes.

(Whereupon, at 11:39 a. m., the hearing was recessed for 23 minutes.)

Mr. VELDE. The committee will be in order.

Mr. KUNZIG, call the next witness.

Mr. KUNZIG. I call Isadore Reivich.

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. REIVICH. I do.

May I ask that the lights be turned off, and the television be turned off, please?

Mr. VELDE. The television lights and the newsreel lights will be turned off.

Mr. KUNZIG. Shall I proceed, Mr. Chairman?

Mr. VELDE. Is that satisfactory, Mr. Witness?

Mr. REIVICH. All except the still photographers.

Mr. VELDE. The photographers will please desist.

TESTIMONY OF ISADORE REIVICH, ACCOMPANIED BY HIS COUNSEL, IRVING W. BACKMAN

Mr. KUNZIG. Will you please give your full name?

Mr. REIVICH. Isadore Reivich.

Mr. KUNZIG. Your address, please?

Mr. REIVICH. My address is 2038 North 52d Street, Philadelphia, Pa.

Mr. KUNZIG. Are you a teacher, Mr. Reivich?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. Yes; I am a teacher in the Philadelphia public school system.

Mr. KUNZIG. In what schools do you teach?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I teach at West Philadelphia High School.

Mr. KUNZIG. What is your subject at West Philadelphia High School?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I teach in the social studies department at West Philadelphia High School.

Mr. KUNZIG. Do you teach American history?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I do teach American history 1, 2, and 3 at West Philadelphia High School.

Mr. KUNZIG. I note that you are accompanied by counsel. Would counsel please state his name and address for the record?

Mr. BACKMAN. Irving W. Backman, 1612 Market Street, Philadelphia.

Mr. KUNZIG. Would you now, please, Mr. Reivich, give the committee a brief résumé of your educational background?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I attended the William B. Mann School. I then graduated and attended the Overbrook High School. I graduated from Overbrook High School in January 1936.

I then attended Temple University until January 1940. After coming out of the Army in 1945 I went back to Temple University and received a master's degree in economics in the Liberal Arts School, and since that time I have taken a number of credits toward a doctor's degree.

Mr. KUNZIG. Let the record show that Mr. Reivich was honorably discharged from the Army in 1945. Is that correct?

Mr. REIVICH. That is correct.

Mr. KUNZIG. When did you become a teacher for the first time?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I became a teacher in the Philadelphia public school system in September 1946.

Mr. KUNZIG. Have you been a teacher ever since?

Mr. REIVICH. Yes, I have been a teacher ever since.

Mr. KUNZIG. What schools have you been assigned to during the period of time from 1946 to the present time?

Mr. REIVICH. I have always taught at the West Philadelphia High School.

Mr. KUNZIG. Have you ever used any aliases, Mr. Reivich? Have you ever gone under another name?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I cannot answer that question, or, let me put it this way; with the advice of counsel I refuse to answer that question on the basis of the fifth amendment.

Mr. KUNZIG. Is it not a fact that you have gone under the name of Israel Reinick?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer that question on the same grounds.

Mr. KUNZIG. The committee has sworn testimony that you have used that name.

We also have testimony that you used the name Bill Roberts.

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer the question on the same grounds.

Mr. KUNZIG. We are in possession of testimony, under oath, Mr. Reivich, that you used the name Bill Roberts when you became an active member of the Young Communist League. Is it correct that you used the name of Bill Roberts in the Young Communist League?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer the question on the grounds of the fifth amendment.

Mr. WALTER. When was that, Mr. Kunzig? Have you got the date?

Mr. KUNZIG. In or about 1940, sir.

We also have testimony, Mr. Reivich, that you were executive secretary of the West Philadelphia Young Communist League and director of the Young Communist League of Eastern Pennsylvania. Did you hold either of the positions, either or both of those positions?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer on the grounds of the fifth amendment.

Mr. KUNZIG. On August 6, 1942, it has been testified under oath that you spoke at an outdoor Communist meeting held at Brooklyn Street and Fairmount Avenue. One of the speakers at the meeting was John Jack Devine who was known as a prominent Communist.

Did you speak at that meeting on August 6, 1942?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer on the ground of the fifth amendment.

Mr. KUNZIG. Did you take an active part in the creation of the American Youth for Democracy prior to the time that you went into the Army?

The American Youth for Democracy has been cited as subversive and Communist by Attorney General Tom Clark and various committees.

Mr. CLARDY. Are you referring to the national organization?

Mr. KUNZIG. A local of the entire national organization.

Mr. CLARDY. That is what I assumed.

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer on the same ground.

Mr. KUNZIG. After your discharge from the Army in 1945, is it not a fact, Mr. Reivich, and we have sworn testimony to this, that you became a member of the Ben Gardner Club, section 2, of the Communist Party of Eastern Pennsylvania and Delaware?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I decline to answer on the basis of the fifth amendment.

Mr. WALTER. When was that?

Mr. KUNZIG. In and about 1945.

In 1945, as the testimony went, when you were a member of the Ben Gardner Club, district 3, we also have testimony, Mr. Reivich, that you held Daily Worker Press Club membership card No. 25891. Did you have such card?

Mr. REIVICH. I refuse to answer on the same grounds.

Mr. WALTER. When did you go into the military service, Mr. Reivich?

Mr. REIVICH. I think the date was October 17, 1943.

Mr. WALTER. Were you commissioned?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. No, I was not commissioned.

Mr. KUNZIG. Were you a member of the Communist Party during the time you were serving in the Armed Forces?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer on the basis of the fifth amendment.

Mr. KUNZIG. We also have testimony, sir, that you were a member of section 2, district 3, of the Communist Party, holding membership card No. 53810. Is that correct?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer on the basis of the fifth amendment.

Mr. KUNZIG. In 1946 the testimony goes that you were nominated for membership to the district committee of the Communist Party; and in 1947 you were transferred to the professional section of the Communist Party, in October 1947. Are those statements correct?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer on the basis of the fifth amendment.

Mr. KUNZIG. The testimony goes on that you were again a member of the Ben Gardner Club of the Communist Party in 1948 and that at that time of your registration in the Communist Party in 1948 you indicated that you had been a member of the party for 10 years, is that correct?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer that on the basis of the fifth amendment.

Mr. KUNZIG. Did you, during the month of January 1948, assist Edward Strong and Ben Weiss, the treasurer of district 3 of the Communist Party? Did you assist them in arranging a program to protest the deportation charges against alien Communists?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer on the basis of the fifth amendment.

Mr. KUNZIG. Have you been active in the Civil Rights Congress?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer on the basis of the fifth amendment.

Mr. KUNZIG. The Civil Rights Congress, Mr. Chairman, as I have already put in the record yesterday, has been cited as subversive and Communist by Attorney General Tom Clark and various committees.

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. KUNZIG. Did you, on July 17 and July 18, 1948, attend sessions of the Communist Party, district No. 3, convention held at the Chris J. Perry Elks Hall, 1416 North Broad Street, Philadelphia?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I decline to answer on the basis of the fifth amendment.

Mr. KUNZIG. There is sworn testimony, sir, that you spoke at this convention and that you spoke on the subject of the importance of the Communist Party holding a mass movement in veterans' groups, is that correct?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer on the basis of the fifth amendment.

Mr. KUNZIG. There is also sworn testimony that as recently as 1950 you were reported as active in obtaining funds on behalf of the Com-

munist Party in eastern Pennsylvania and Delaware. In other words, you were raising money for the Communist Party, is that correct?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer on the basis of the fifth amendment.

Mr. KUNZIG. Have you ever been a member of the Communist Party?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I object to this type of question on the basis of the first amendment, because the first amendment provides that—

Mr. WALTER. Now, never mind the excuses. I think that every shoemaker should stick to his last. You are objecting to questions and refusing to answer it because of your conception of protection given you by the Constitution of the United States. Say so. This is no place for a legal argument.

Mr. REIVICH. I will answer the question in the following fashion: On approximately May 1, 1952, I took the Pennsylvania loyalty oath.

I object to answering any questions concerning my political beliefs, associations, and so forth, on the basis of the first amendment and on the basis of the fifth amendment before the taking of the oath.

Mr. WALTER. You might be interested in knowing that the Supreme Court passed on the validity of your refusal to answer on the basis of the first amendment in the so-called Hollywood cases. So, now, let us get to something else.

Mr. VELDE. Regardless of whether you object or not, do you refuse to answer the question? That is the only legal recourse.

Mr. WALTER. We can understand your statement, but that isn't the question. The pertinent question is do you refuse to answer?

Mr. REIVICH. On the basis of the first and fifth amendments, I will not answer any questions concerning my belief or association prior to the taking of the Pennsylvania State loyalty oath.

Mr. WALTER. Let us direct our attention to the fifth amendment. You are refusing to answer questions because of the provisions of the fifth amendment because you are afraid that the criminal prosecution that might ensue would be a prosecution for perjury because you took the oath when you did take it, isn't that correct?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. WALTER. Isn't that your apprehension?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I have only invoked the fifth amendment. You have not granted me the right to discuss things, and now you are attempting to involve me in a discussion.

Mr. VELDE. You were certainly granted the right to discuss if you answer the question instead of refusing to answer. It has been the rule under which this committee has been operating for a long while, and as far as I am concerned it will continue.

Mr. REIVICH. I am invoking the first and the fifth amendments up until the signing of the loyalty oath. After I signed the loyalty oath, I still object to such an oath, but in deference to the laws of the State of Pennsylvania, and I am a law-abiding citizen, and according to the interpretation of this oath I will say that I am not a member of the Communist Party since the taking of this oath.

Mr. WALTER. Do I understand you to mean by that that you got out of the Communist Party in order to take this oath, and that is the only reason why you are declining to answer questions?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer that question on the basis of the fifth amendment.

Mr. VELDE. Do you have anything further, Mr. Kunzig?

Mr. KUNZIG. No further questions, Mr. Chairman.

Mr. VELDE. Mr. Clardy?

Mr. CLARDY. Witness, I have observed you rather carefully during your entire time on the stand. And I have observed that you seem to regard it as something humorous and amusing.

My question is this: Do you think that the Communist conspiracy against the United States and the freedom we enjoy here is something that should be treated with amused tolerance?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer it on the basis of the fifth amendment, with advice of counsel.

Mr. CLARDY. Are you of the opinion, and I base this on a statement that you made just a few moments ago, that the Communist conspiracy is really nothing more than a political movement, a political party movement?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer this question of opinion on the basis of the first and fifth amendments.

Mr. VELDE. Mr. Walter, do you have any questions?

Mr. WALTER. Mr. Kunzig, I am curious to know about the collection of funds and things, the alleged activities of this witness.

Mr. KUNZIG. The committee has sworn testimony that in the year 1950 this witness was active in soliciting funds on behalf of the Communist Party of eastern Pennsylvania and Delaware.

Mr. WALTER. Did you ever solicit funds for the Communist Party anywhere at any time?

(At this point Mr. Reivich conferred with Mr. Backman.)

Mr. REIVICH. I refuse to answer that question on the basis of the first and fifth amendments.

Mr. WALTER. That is all, Mr. Chairman.

Mr. VELDE. The witness is excused.

Call your next witness.

Mr. KUNZIG. I call Mr. William G. Soler.

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SOLER. I do.

Mr. Chairman, before we begin may I say that I haven't the eloquence of one of our previous speakers.

Mr. VELDE. There is no question before the witness.

Mr. SOLER. I should like to make this statement about television.

Mr. VELDE. The committee does not hear any voluntry statements. Do you request that the lights be turned off?

Mr. SOLER. I should like to say that I really protest the use of television and newspaper cameras and publicity which has tended to create an atmosphere of prejudice.

Mr. KUNZIG. The Chair is requesting the television lights be turned off because you protest the use of the lights.

Now we will proceed with the hearing.

**TESTIMONY OF WILLIAM GORDON SOLER, ACCOMPANIED BY HIS
COUNSEL, LOUIS F. McCABE**

Mr. KUNZIG. Would you state your full name, please, sir?

Mr. SOLER. William Gordon Soler.

Mr. KUNZIG. Mr. Louis F. McCabe, whose name is well known to the committee, is representing the witness, and let the record show that we can proceed.

Would you give your address, please, Mr. Soler?

Mr. SOLER. 5243 Lebanon Avenue, Philadelphia, Pa.

Mr. KUNZIG. Are you a teacher, sir?

Mr. SOLER. I am.

Mr. KUNZIG. At what school do you teach?

Mr. SOLER. At the Central High School of Philadelphia.

Mr. KUNZIG. What subject do you teach there?

Mr. SOLER. I teach English.

Mr. KUNZIG. Would you give the committee a brief résumé of your educational background?

Mr. SOLER. I shall be glad to, sir, and I hope that you will pardon reference to notes because I have been busy teaching all these days and I haven't had the opportunity to spend 6 months preparing a case. I shall therefore, with your permission, proceed.

I was born in Philadelphia in 1909. I was graduated from the Standard Evening High School in 1926, I believe, and from the Philadelphia Normal School in 1929.

While I was teaching I took work at Temple University, receiving my bachelor's degree in 1936 and my master's degree in 1947, and for a dissertation on one of the framers of the Constitution who prophetically warned that the domes of liberty might be attacked, and I received my doctor's degree in June 1953.

I began teaching at the Kearney Elementary School in 1929 and continued teaching until about 1936.

After examination I was appointed to the Vaux Junior High School in 1936.

During that time I enlisted in the United States Army in the volunteer officer candidate program, was honorably discharged some months later, and thereafter continued teaching at the Vaux Junior High School.

Mr. WALTER. When were you in the Army?

Mr. SOLER. I am not certain of the date, but I believe you have the record, maybe 1941, somewhere near the beginning of the war.

Mr. WALTER. I haven't the record. As a matter of fact, I have never heard of you before this session.

Mr. SOLER. I do not have the exact date, but I believe that if the committee is interested the records are available. I do not recall the exact date, but those are the facts.

Mr. WALTER. When were you commissioned in the Reserve?

Mr. SOLER. I was not. As I say, I was honorably discharged some months later because I had trouble with my feet, and I am wearing plates right now as a result of all that.

I was appointed to teach English at the Edward Bok Vocational School in 1947 after an examination, and about 5 years later I was appointed as a teacher of English in Central High School in September

1952, a total of almost a quarter of a century in the public schools of Philadelphia.

I also have been teaching at Germantown Evening High School, adults, some 5 or 6 years, and I may say that I have numerous letters of commendation and those letters include notations regarding my teaching of groups during the civil defense program, during the First World War, and that I have letters, as I say, of commendation from my superiors after having gone through this work.

Mr. KUNZIG. Are you now a member of the Communist Party?

Mr. SOLER. Mr. Chairman, in accordance with the act of assembly approved December 22, 1951, I signed a loyalty oath on March 7, 1952, subject to penalty of perjury, a felony, to wit, a fine not exceeding \$3,000, and imprisonment by solitary confinement at labor not exceeding 7 years, or both.

That statement further requires that I swear that I do not advocate and am not knowingly a member of any organization that advocates the overthrow of the Government of the United States or of this Commonwealth, by force or violence or other unconstitutional means, or seeking by force or violence to deny to the persons their rights under the constitution of the United States or of this Commonwealth.

Mr. KUNZIG. Are you now a member of the Communist Party? It is a very simple question.

Mr. SOLER. The question is not as simple as it appears on the surface. I would have to take a position consistent with that, but I wish to say that it has come to my attention that charges of some nature linking me with the Communist Party exist so that the danger of framedup charges exists in my mind and I believe that precisely that situation, among others, is what the fifth amendment is intended to protect, and I want to say here and now that I am here sworn to uphold the Constitution of the United States and the Bill of Rights, and that I shall use every effort under the first, fifth, and tenth amendments to protect myself.

Mr. KUNZIG. Whatever amendment you intend to use, would you please just answer the question? Are you a member of the Communist Party?

Mr. SOLER. I have told you, sir, what I know and I shall therefore invoke the privileges of the fifth amendment which protect me from unwittingly helping form a link of inquiry——

Mr. KUNZIG. Mr. Soler, you said that you took the Pennsylvania loyalty oath. Were you a member of the Communist Party when you swore to that oath?

Mr. SOLER. I have indicated, sir, that I have had rumors of baseless charges, unfounded, in fact, that my employers have so indicated——

Mr. VELDE. That is not in answer to the question. The question is very simple, and the Chair directs you to answer the question.

Mr. SOLER. Yes, I am going to answer the question.

Mr. VELDE. Well, then, answer the question.

Mr. SOLER. I am going to answer that under the protection of the first and fifth and tenth amendments I must invoke the privilege.

Mr. VELDE. Well, then, you refuse to answer?

Mr. SOLER. I have invoked the privilege because such an answer might tend to incriminate me in a sense that some stool pigeon or some informer might have baseless charges against me, of which I know nothing.

Mr. WALTER. That raises a very interesting question. You said an informer. What do you mean by an informer?

Mr. SOLER. All I know is that I have heard all kinds of statements in the press that the press, perhaps acting as agents, abetting the agents of this committee, have issued statements which clearly indicate that people are already accused of wrongdoing, and that being the case the whole climate has been prejudiced. There is a hysteria which exists which could affect my life.

Mr. WALTER. Your answer is very evasive. I asked you about informer. Now, to me the word informer indicates somebody who tells on somebody else with whom they have been associated in an illegal act.

Mr. SOLER. That may be, and under press of precisely this type of publicity one may use a word which perhaps, under certain circumstances, he would not be inclined to use. I can only tell you that I am aware that charges, baseless rumors, statements have been made in the press which have created a situation which makes it impossible for me, sworn to uphold the Constitution of the United States and knowing something about the way this Constitution was made, I want it pointed out, sir.

Mr. WALTER. Yes, we know all about it. Will you now answer that one simple, little question; were you a member of the Communist Party on the 1st of April 1952?

Mr. SOLER. Precisely for the same reasons, recognizing that——

Mr. WALTER. That is before your oath, the Pennsylvania loyalty oath, isn't it?

Mr. SOLER. I have stated——

Mr. WALTER. What is the date of that, please?

Mr. SOLER. As far as I know, that date may have been, and I say may, and I am accustomed to try to choose my words carefully.

Mr. WALTER. You were not so careful when you used the word informer. Give me the date of that affidavit. It was in 1952, early in 1952, wasn't it?

Mr. SOLER. The 7th day of February 1952.

Mr. WALTER. All right, now, on the 6th day of March 1952 were you a Communist, a member of the Communist Party?

Mr. SOLER. Mr. Chairman, I have indicated that because of the climate and hysteria which exists and because of rumors which I have heard, I must seek——

Mr. VELDE. The question is simple and the Chair directs you to answer the question.

Mr. SOLER. I am seeking and I shall invoke the privileges of the first, fifth, and tenth amendments on the grounds that I certainly am not in any position and wish not to be in any position which might link me in any matter which could be then used against me in some way.

Mr. VELDE. And then you do refuse to answer the question?

Mr. SOLER. I think, sir, that I have invoked the privilege of the fifth amendment.

Mr. WALTER. You said "I must" do it. You are not under any compulsion.

Mr. SOLER. I do invoke the fifth amendment on the grounds that I have stated.

Mr. KUNZIG. I would like to follow that up with one other question on that point. Were you a member of the Communist Party on March 7, the very day that you swore under oath to the State of Pennsylvania, the Commonwealth of Pennsylvania, that you were not a member of any group seeking to overthrow the Government by force or violence?

Mr. SOLER. Mr. Chairman, I should like to say this, that for the last 5 years I have been busy working on my thesis, and——

Mr. VELDE. The question is simple, and you are directed to answer the question.

Mr. SOLER. Yes; I shall be very glad to. Would you please repeat that question?

Mr. KUNZIG. Would the reporter please read back the question?

Whereupon the reporter read the question as follows:

I would like to follow that up with one other question on that point. Were you a member of the Communist Party on March 7, the very day that you swore under oath to the State of Pennsylvania, the Commonwealth of Pennsylvania, that you were not a member of any group seeking to overthrow the Government by force or violence?

Mr. SOLER. When I took the oath I laid myself open to penalties of perjury, fine not exceeding \$3,000 and imprisonment by improper answer.

Mr. VELDE. The Chair directs you to answer the question or to refuse to answer the question.

Mr. SOLER. Because of the statements that I have previously made. I feel that it is my right and privilege as an American citizen to invoke the 1st, 5th, and 10th amendments of the Constitution on the grounds previously stated.

Mr. KUNZIG. Were you a member of the Communist Party during the time that you served in the Armed Forces of the United States?

Mr. SOLER. I think I have already indicated that I feel it my sworn duty to defend the Constitution of the United States and I propose to use the privileges which the Bill of Rights has afforded me, and I shall invoke the 1st, 5th, and 10th amendments in connection with such questions because I do not know what kind of slanderous gossip exists which would forge a chain——

Mr. VELDE. That is a voluntary statement and it shall be stricken from the record.

Mr. KUNZIG. Mr. Soler, this committee is in possession of sworn testimony as follows: That you were a member of branch 70 of the Communist Party in 1943 and that you then became a member of section 8 of the Communist Party and have had the following Communist Party membership cards or books; in 1944 membership card No. 78393 and in 1945 membership card No. 85939. Is that information, under oath, correct?

(At this point Mr. Soler conferred with Mr. McCabe.)

Mr. SOLER. This is in line with the same type of question, and I have no recourse under the Constitution but to invoke the privileges accorded to me by the Bill of Rights, the 1st, 5th, and 10th amendments, I suppose. I am not a legal man.

Mr. CLARDY. That is very obvious.

Mr. SOLER. I did not make law my study, sir.

Mr. CLARDY. You said you must. Are you doing so, or are you not?

Mr. SOLER. I am invoking the privilege of the fifth amendment because I do not know when I may unwittingly make statements which could be used in such a manner as to forge some proceeding which could be used against me.

Mr. CLARDY. May I make an observation on that point just briefly, Mr. Chairman?

Mr. VELDE. Proceed.

Mr. CLARDY. I want to point out not to the witness because I do not want to elicit a torrent of words, but I do want to get across the idea to those who are yet to come on the stand, and anyone else who may be listening, that mere membership in the Communist Party is not a crime and no one can be punished for it, much as I wish that were the case. It is, therefore, impossible for anybody to incriminate himself by admitting that he was or is a member of the party unless, in addition thereto, there shall be adduced evidence to show that he engaged in a criminal conspiracy directed against the best interests of the United States.

In other words, something dealing with a subversive act of some type, and I am amazed that that fact has not been made clear to some of these witnesses before they take the stand.

That is all I have, Mr. Chairman.

Mr. KUNZIG. I have one further question, Mr. Chairman. This committee has sworn testimony that as recently as 1953—this year—you have been active in Communist Party affairs; is that correct?

(At this point Mr. Soler conferred with Mr. McCabe.)

Mr. SOLER. It is more of the old gossip and the slander which exists. Sir, it is precisely for that kind of slanderous gossip which exists that I shall invoke the 1st, 5th, and 10th amendments.

Mr. VELDE. The witness will be directed to answer the question or refuse to answer the question as he sees fit.

Mr. SOLER. I shall invoke the fifth amendment, as I have no other recourse in this case.

Mr. CLARDY. That last statement simply isn't true. You do have other recourses, and I want the record to show that. You may answer truthfully, if you will.

Mr. KUNZIG. I have no further questions from this witness, Mr. Chairman.

Mr. VELDE. The witness is excused and the committee will stand in recess until 2:15 this afternoon.

(Whereupon, at 1:39 p. m., the subcommittee adjourned until 2:30 p. m. the same day.)

AFTERNOON SESSION

(At the hour of 2:21 p. m. of the same day the proceedings were resumed, the following committee members being present: Representatives Harold H. Velde (chairman), Kit Clardy, and Francis E. Walter.)

Mr. VELDE. The subcommittee will be in order. Will counsel call his next witness?

Mr. KUNZIG. I call Nathan Walter Margolis.

Mr. VELDE. Due to the fact that the next witness has an ailment, a heart ailment, and we have a medical certificate to that effect, the

committee has decided that the television lights be turned off at this time before the witness takes the stand. We are always aware of the fact that certain witnesses have medical difficulties and physical difficulties and I suppose that all witnesses have emotional distress. We certainly do want to cooperate with witnesses and anyone who comes before this committee so that their health cannot be injured.

So, will the lights be turned off at this point?

Mr. KUNZIG. Will Mr. Margolis please step forward? The same treatment will be accorded to you as has been accorded the others.

Mr. VELDE. Will you raise your right hand? In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KUNZIG. Do you wish to be seated or stand?

Mr. MARGOLIS. I left my notes on the bench back there.

Mr. KUNZIG. Did you answer on the oath? The reporter tells me he did not hear anything. Did you say "I do" when the chairman administered the oath?

Mr. MARGOLIS. Yes; I do.

TESTIMONY OF NATHAN WALTER MARGOLIS, ACCOMPANIED BY HIS COUNSEL, LOIS FORER

Mr. KUNZIG. Will you state your name, please, sir?

Mr. MARGOLIS. Nathan Walter Margolis.

Mr. KUNZIG. Would you spell it, please?

Mr. MARGOLIS. Nathan Walter M-a-r-g-o-l-i-s.

Mr. KUNZIG. And your address, Mr. Margolis?

Mr. MARGOLIS. 840 Asbury Terrace, Philadelphia.

Mr. KUNZIG. Are you a teacher?

Mr. MARGOLIS. I am.

Mr. KUNZIG. Where do you teach?

Mr. MARGOLIS. At the John Bartram High School.

Mr. KUNZIG. What is your subject?

Mr. MARGOLIS. Art.

Mr. KUNZIG. I see you are accompanied by counsel. Would counsel please state her name and address for the record?

Miss FORER. Lois Forer, Packard Building.

Mr. KUNZIG. Mr. Margolis, would you give the committee a brief résumé of your educational and employment background?

Mr. MARGOLIS. I graduated from the Central High School in Philadelphia in 1924, graduated from the Philadelphia Normal School, major in art, in 1926.

I took courses in color and design in the School of Industrial Art.

After that time, somewhere around 1926 to 1929, I studied at the Graphic Sketch Club, painting and drawing and etching from about 1926 to 1933, more or less. That was nights and weekends.

I studied at the University of Pennsylvania, receiving my B. S. degree as an art major, and in 1938—that was all after school and evenings. In 1938 I was awarded a fellowship to Harvard to study the techniques of Italian painting, the Fogg Museum, where I very carefully studied Botticelli and El Greco and the fresco paintings and worked from a Botticelli Madonna and a Greco Christ.

I studied at the Barnes Foundation from 1942 to 1943 or maybe 1943 or 1944, and I got a master's degree in fine arts from the Stella Elkins Fine Arts of Temple University in 1946.

Now, my teaching work is interwoven with that, of course, because I did this after school and evenings and so on. Now, with respect to elementary schools, I began to teach at the age of 18. I was in the elementary school until 1931. I was appointed an art teacher in the junior high school from 1931 to 1935.

Mr. KUNZIG. What junior high school was that?

Mr. MARGOLIS. Sulzberger Junior High School. I was appointed to the senior high school, Frankford, in 1935 and stayed there for about 2 years.

Now from here on, you must understand that I was the newest appointment in the high-school system and that the last one into a school is the first one to leave when numbers drop, so from 1937 I worked in very many schools, Northerst, from 1937 to 1938, Overbrook 1938 to 1939, Stetson Junior High School. That was not a demotion. That was just to relocate me, 1939 to 1940, approximately.

Then there was an opening in the senior high school in a somewhat related field called mechanical drawing, and that was at the Bartram High School from 1940 to 1941, I think.

From there I went to the Benjamin Franklin High School and the William Penn High School and I shifted between both, and then totally at the William Penn High School, I believe, from 1943 to 1945, and then to the Bartram High School from 1945 to now.

Mr. KUNZIG. And that is where you are at the present time?

Mr. MARGOLIS. There is something else. I taught at the Graphic Sketch Club, drawing and painting, from 1928 to 1942 in the evenings. During that period of course there was the war and I sought to volunteer but I was rejected for physical reasons.

Mr. KUNZIG. This committee has testimony under oath that you have been a member of the Communist Political Association of Eastern Pennsylvania and Delaware, specifically in 1945. Is that information correct?

Mr. MARGOLIS. In order to answer that question I must explain my position and ask the assistance of this committee.

Mr. VELDE. The committee has every desire to assist you, Mr. Margolis. However, we do not care for lengthy explanations unless you answer the question that was directed to you.

I therefore now direct you to answer the question that was asked you by counsel.

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. I am answering it and I have come to answer fully and to the best of my ability and I have consulted counsel and I have been advised that under the Constitution I have the right to decline to answer. I should prefer not to refuse.

Mr. WALTER. You say you have been advised that you have a right to decline to answer?

Mr. MARGOLIS. Yes.

Mr. WALTER. That is correct. Do you decline to answer?

Mr. MARGOLIS. I should prefer not to refuse to answer.

Mr. WALTER. Do you refuse to answer?

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. Since receiving my subpoena I have been thinking about this very deeply.

Mr. WALTER. Yes, I suppose so, but now do you refuse to answer the question?

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. I have thought this through and I have to answer it in my way.

Mr. WALTER. That is all beside the point. The question has been submitted. Now, do you refuse to answer?

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. I wish not to refuse and if you will permit me to continue in my own way, I will—

Mr. VELDE. You have previously been directed to answer or decline to answer the question. I again direct you to answer or decline to answer the question. It is very simple. You are directed to answer or decline to answer and state your reasons.

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. I will not decline to answer on the express agreement that you will let me continue to finish my answer as I have tried to do.

Mr. WALTER. Now you have declined to answer. You are refusing to answer.

Mr. MARGOLIS. No, I haven't yet.

Mr. WALTER. Not yet.

Will you read the question, Mr. Stenographer?

(The reporter read the question as follows:)

This committee has testimony, under oath, that you have been a member of the Communist Political Association of Eastern Pennsylvania and Delaware, specifically in 1945. Is that information correct?

Mr. MARGOLIS. I should like to answer fully all questions you may care to ask me, but with respect to myself—

Mr. WALTER. What are you reading from?

Mr. MARGOLIS. A prepared answer, because I have never—

Mr. WALTER. Prepared by whom?

Mr. MARGOLIS. Prepared by me.

Mr. WALTER. Now, you have heard the question. Is the sworn testimony that this committee has correct?

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. I will answer all your questions about myself upon the express—

Mr. WALTER. Just answer that one and then I won't ask one more.

Mr. MARGOLIS. On the express agreement that you ask me only about myself.

Mr. WALTER. I will make a deal right here and now. If you answer that question I won't ask you one more question.

Mr. VELDE. If he will answer it yes or no.

Mr. MARGOLIS. I will answer that question if there are no further questions, only about myself.

Mr. WALTER. You answer that question.

Mr. MARGOLIS. Does this committee agree not to ask me any questions in regard to anyone else?

Mr. WALTER. I don't know anything of the plans the counsel of the committee has. I am merely stating that if you answer that question I personally will not ask you any more questions.

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. Well, may I have the agreement of the committee that I may answer only about myself?

Mr. VELDE. No; certainly not. The committee has the express duty of asking questions of witnesses relative to subversive activities, and we must fulfill that duty, so we cannot enter into an agreement of that type with any witnesses.

Mr. WALTER. I would like to make a deal with this witness because I was hoping that this witness would cooperate with the committee.

Mr. MARGOLIS. I had hoped to be able to.

Mr. WALTER. You have a great opportunity right now and if you prefer to testify in executive session I am sure that I could prevail upon the chairman of this committee, with whom I have very little influence, to agree to hear you in executive session, because I am particularly interested in knowing the source of the funds the Communist Party received in this community, and I would like to know the pattern employed in the collection of those funds. And I would like to know what happened to the money and if you will cooperate with this committee to the extent that we can go into that phase I think that perhaps we can go into executive session right now.

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. I would prefer to testify in open session if you would allow me to answer the question in my own way.

Mr. WALTER. Answer that question.

Mr. MARGOLIS. In my way, please.

Mr. WALTER. Answer the question that was asked you several times.

Mr. MARGOLIS. I have this answer. May I read my answer?

Mr. WALTER. As to what?

Mr. MARGOLIS. This question.

Mr. WALTER. How did you anticipate this question? You have an answer there to a question that you did not even know was going to be propounded. That is no answer. It is a dissertation just handed to you by your lawyer.

Mr. MARGOLIS. There was no question in my mind but what you would ask me these questions.

Mr. WALTER. Why did you think we would ask you about this?

Mr. MARGOLIS. Because everybody is asked that when they come here.

Mr. WALTER. No; everybody isn't asked the specific question about your activity in raising funds. Now, why did you anticipate that this committee was going to ask you about raising funds?

Mr. MARGOLIS. I didn't hear any question about funds. Your counsel did not ask me a question about funds.

Mr. VELDE. Let me say this to the witness: I do not always agree with my distinguished friend from Pennsylvania, but I certainly would agree in this particular case that if you will answer the question asked of you by counsel I would be in favor of going into executive session, which we can do right now, to get your answer to that one question.

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. If you permit me to answer it in my way I will answer it now.

Mr. WALTER. As I understand it, you object to naming other people, is that it?

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. Will you let me answer it in my way?

Mr. WALTER. Is that your objection? You are objecting to the question because you do not want to be placed in a position of mentioning the names of others who may or may not have been associated with you; is that it?

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. You are telling me how to answer.

Mr. WALTER. No; I am asking you.

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. KUNZIG. Are you ready to answer, sir?

Mr. MARGOLIS. Will you let me collect my answer on it?

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. Will you let me answer this in my own way?

Mr. WALTER. How many pages is it?

Mr. MARGOLIS. Just this [indicating].

Mr. WALTER. I think we would save time if you just read it and go on and answer the question.

Mr. MARGOLIS. All right.

Mr. VELDE. I concur with that.

Mr. WALTER. As much time as it takes. Just read what you have before you so that you will feel free to answer the question.

Mr. MARGOLIS. In order to answer the question—

Mr. WALTER. You are not answering the question.

Mr. MARGOLIS. I must briefly explain my position and ask the assistance of this committee.

I am a loyal, law-abiding American citizen. I have come here today despite my ill health to answer all questions fully and to the best of my ability.

I have consulted counsel and I am advised that under the Constitution I have the right to decline to answer certain questions. I should prefer not to refuse.

Since receiving this subpoena I have considered searchingly this matter of the state and the individual. I am an artist and a teacher. I am not a political theorist or a politician. I have spent 27 years of my life teaching art in the public schools in Philadelphia and elsewhere.

It is my belief and understanding that a teacher and an artist has a personal duty of integrity and I shall therefore decline to answer under the privileges of the first amendment to the Constitution.

It is also my opinion that the public schools of Philadelphia are the responsibility of the State and not the Federal Government. I fear the encroachment of an all-powerful central government as a step away from democracy, and a violation of the 10th amendment.

I have been advised that no man is required to testify against himself. Despite my personal belief as to the authority and the wisdom of this proceeding, I should like to waive my rights to challenge the authority and the propriety of this proceeding under the 1st and 10th amendments.

In addition, I should like to waive my rights and privileges under the fifth amendment in order to answer certain questions and to answer

fully all questions you may care to ask me with respect to myself upon the express agreement of the committee not to ask me now or at any time questions regarding any other individual.

My reason for not wishing to answer questions about other people is that in answering questions based upon the imperfect and incomplete knowledge which one person has about another and without the right of that person to cross-examine anyone or to present evidence in his own behalf, I should be giving to this committee information which might be misleading. I do not wish to be a party to a proceeding which is contrary to the American concepts of fair play and those concepts of law which are characterized by the unfounded accusation and the big lie.

But if the committee will agree to question me only with respect to my own activities I shall waive my rights and privileges under the 1st, 5th, 9th, and 10th amendments of the Constitution.

What is your ruling?

Mr. VELDE. We have already been through this harangue. Now, are you willing to answer the question or do you refuse to answer the question?

Mr. MARGOLIS. What is your ruling, sir?

Mr. VELDE. I asked you whether you were willing to answer the question or whether you decline to answer the question. I have given you every privilege that any witness or any person deserves before this committee.

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. VELDE. Please show your patriotism. Show your love of country, if you have it, and answer that question either yes or no or refuse to answer.

Mr. MARGOLIS. I do love my country dearly and I would like to ask you for a ruling.

Mr. VELDE. The committee does not make rulings. The committee merely seeks out information from witnesses who are called before it.

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. If you want information about me, I will give it to you, but not about any other individual.

Mr. VELDE. Do you remember the questions? You have just promised that you would give us information about yourself, and that is information about you.

Mr. MARGOLIS. On the condition that you would not ask me——

Mr. WALTER. Now, the Supreme Court has passed on this very question of immunity that it extends to you under the fifth amendment of the Constitution, but not to anybody else. We are asking you only about yourself.

Mr. VELDE. We are not to make any deals with you. Mr. Kunzig asked a question.

Mr. MARGOLIS. Very well, then; I will not waive my rights under the Constitution.

Mr. VELDE. All right, we will cross that bridge when we come to it.

Mr. KUNZIG. The question presently pending is whether Mr. Margolis was a member of the Communist Political Association of Eastern Pennsylvania and Delaware in the year 1945.

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. I shall decline to answer that under the privileges of the fifth amendment.

Mr. WALTER. Is there any testimony in the records of this committee to the effect that Mr. Margolis did participate in the activities of that organization, Mr. Counsel?

Mr. KUNZIG. There is, Mr. Walter, yes, sir; sworn testimony.

After the Communist Political Association was reconstituted back into the Communist Party in 1945, were you then a member of the Communist Party, as has been sworn to before this committee?

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. I shall decline to answer that question under the fifth amendment.

Mr. KUNZIG. Have you ever been connected with the Independent Citizens Committee of the Arts, Sciences, and Professions, formed in December 1945?

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. In connection with that question I shall decline to answer on the basis of the first amendment, which has to do with freedom of association, and the fifth amendment.

Mr. KUNZIG. Mr. Margolis, this committee is in possession of sworn testimony that you took an active part in the organization of the Pennsylvania regional chapter of the Independent Citizens Committee of the Arts, Sciences, and Professions and you were chairman of the program committee. This group, of course, Mr. Chairman, as has been put in our records many times before has been cited as a Communist front.

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. I do not think you are correct on that.

Mr. KUNZIG. As a Communist organization.

Mr. MARGOLIS. Has it been put on a subversive list?

Mr. KUNZIG. I will read from the Guide to Subversive Organizations and Publications, page 60:

Independent Citizens Committee of the Arts, Sciences, and Professions. Cited as a Communist front by the Congressional Committee on Un-American Activities, review of the Scientific and Cultural Conference for World Peace arranged by the National Council of the Arts, Sciences, and Professions and held in New York City on March 25, 26, and 27, 1949, House Report No. 1954, April 26, 1950 (originally released April 19, 1949), page 2; and House Report No. 378, on the Communist peace offensive, April 25, 1951, original date, April 1, 1951, pages 11 and 12.

2. "This Communist front grew out of the Independent Voters' Committee of the Arts and Sciences." (California Committee on Un-American Activities, report, 1948, p. 262.)

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. VELDE. Would you like to confer further?

Mr. MARGOLIS. Just a statement that you are talking about 1949 and you have asked me a question which I decline to answer about 1945. I did not get the question.

Mr. KUNZIG. That is correct. We have had this point raised again and again and again. Obviously these organizations are not cited on the basis of activities that happened 1 minute before the citation, but on the basis of information preceding the citation.

Mr. WALTER. I understand that this information came because this witness asked you a question.

Mr. MARGOLIS. And the date came to be 1949.

Mr. VELDE. And you do decline to answer the question originally propounded?

Mr. MARGOLIS. Yes.

Mr. KUNZIG. About 1 year later the Independent Citizens Committee of the Arts, Sciences, and Professions merged with several small independent groups to form the Progressive Citizens of America.

Our sworn testimony is that you continued actively in the Progressive Citizens of America during 1947, is that correct?

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. I decline to answer on the basis of the first amendment and the fifth amendment.

Mr. KUNZIG. The California Committee on Un-American Activities has cited this as a new and broader Communist front for the entire United States formed in September 1946 at the direction of Communist steering committees.

Mr. MARGOLIS. How would I know what goes on in California?

Mr. KUNZIG. It went on, I think, right here, Mr. Margolis.

Mr. WALTER. That is all we want to find out.

Mr. MARGOLIS. How would I know what went on behind the scenes?

Mr. WALTER. If you will answer the questions maybe you will be able to assist us in finding out the same thing.

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. I have no information about what went on there.

Mr. WALTER. Were you a member of that organization at any time?

Mr. MARGOLIS. I will not answer on the basis of the fifth amendment.

Mr. WALTER. How can we find out if you take that position?

Mr. MARGOLIS. You seem to have sworn testimony.

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. KUNZIG. Were you a member of the cultural committee of section 8 of the Communist Party of Eastern Pennsylvania and Delaware? The committee is in possession of sworn testimony that you were such a member.

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. What was that date, sir?

Mr. KUNZIG. 1945 and 1946, in around that period of time, Mr. Margolis.

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. I don't know of any such organization or any such committee.

Mr. KUNZIG. Were you a member of the cultural committee of section 8 of the Communist Party of Eastern Pennsylvania and Delaware?

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. I don't know of that committee, but I shall decline to answer that on the basis of the fifth amendment.

Mr. KUNZIG. Have you ever been a member of the Communist Party, Mr. Margolis, at any time?

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. I shall decline to answer on the basis of the fifth amendment.

Mr. KUNZIG. Is it correct, as sworn testimony before this committee has shown, Mr. Margolis, that you held party membership

book No. 85409 at one time or not? The date is not here. Did you ever hold Communist Party membership book No. 85409?

(At this point Mr. Margolis conferred with Miss Forer.)

Mr. MARGOLIS. On the basis of the first amendment and the fifth amendment I shall decline to answer.

Mr. KUNZIG. I have no further questions, Mr. Chairman.

Mr. VELDE. The witness is excused.

Call the next witness.

Mr. KUNZIG. I call Sophie Elfont.

Mr. VELDE. Will you stand, please, and remain standing and raise your right hand?

In the testimony you are about to give before this subcommittee do you swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Miss ELFONT. I do. I understand that the television can go on without those bright lights.

Mr. VELDE. I am sorry, I did not hear you.

Miss ELFONT. I understand that the television could go on without the bright lights.

Mr. VELDE. Do the lights bother you and confuse you?

Miss ELFONT. I do not expect to be confused, but they do bother me.

Mr. VELDE. I am sorry, I didn't hear you.

Miss ELFONT. They do bother me. I should appreciate having them turned off.

Mr. VELDE. The lights of the television and the cameras will be turned off at this time.

TESTIMONY OF SOPHIE ELFONT, ACCOMPANIED BY HER COUNSEL, DAVID BERGER

Mr. KUNZIG. State your full name, please.

Miss ELFONT. Sophie Elfont.

Mr. KUNZIG. Is it Miss or Mrs.?

Miss ELFONT. Miss Elfont.

Mr. KUNZIG. Miss Elfont, what is your present address?

Miss ELFONT. 425 South Carlisle Street, Philadelphia.

Mr. KUNZIG. I see that you are represented by counsel. Would counsel please state his name for the record?

Mr. BERGER. David Berger, 1516 Girard Trust Building, Philadelphia, Pa.

Mr. KUNZIG. I would like to ask you if you would please tell the committee whether you are a teacher, Miss Elfont?

Miss ELFONT. I am a teacher where I once was a student, at Stetson.

Mr. KUNZIG. Stetson Junior High School in Philadelphia?

Miss ELFONT. That is right.

Mr. KUNZIG. What do you teach there?

Miss ELFONT. I am in the English Department of Stetson Junior High. I went to Stetson and I went to Kensington High School where I was awarded a scholarship to the University of Pennsylvania in the class of 1929 and in the last 20 years I have taught in Audenreid Junior High and Penn Treaty Junior High School.

Mr. KUNZIG. Would you give the committee a résumé of your employment? Have you been constantly at the same place?

Miss ELFONT. I thought I had done that.

Mr. KUNZIG. You have been constantly at Stetson?

Miss ELFONT. No, I will tell you what I just said. I stated that I had once been a student at Stetson and I teach there now.

Mr. KUNZIG. I want to know the place where you first became a teacher and the places where you have taught.

Miss ELFONT. The secretary at my school put it all down. Would you like all the dates?

Mr. KUNZIG. Just the main places.

Miss ELFONT. All the schools are important.

Mr. KUNZIG. How many are there?

Miss ELFONT. Shall I read them as they are here?

Mr. KUNZIG. Just give us the facts.

Miss ELFONT. Thomas Junior High, September 1930 to January 1932.

South Philadelphia High School, January 1932 to June 1932.

Penn Treaty Junior High School from September 1932 to June 1934.

Audenreid Junior High School from September 1934 to March 1936.

Penn Treaty Junior High School from March 1936 to January 1944.

Stetson Junior High School from January 1944 to date.

Mr. KUNZIG. Miss Elfont, have you ever been a member of the Communist Party?

(At this point Miss Elfont conferred with Mr. Berger.)

Miss ELFONT. I am not a member of the Communist Party.

Mr. KUNZIG. The question was, "Have you ever been a member of the Communist Party?"

Miss ELFONT. I am not a member of the Communist Party.

Mr. KUNZIG. You are saying that you are not a member, is that right?

Miss ELFONT. I am not a member.

Mr. KUNZIG. Would you answer the question? Have you ever been a member of the Communist Party?

Miss ELFONT. Don't you want me to answer the question?

Mr. KUNZIG. I asked you the question, "Have you ever been a member of the Communist Party?" and that is the question I would like answered, if you don't mind.

Miss ELFONT. One talks her own way. I just spoke to counsel.

(At this point Miss Elfont conferred with Mr. Berger.)

Miss ELFONT. As you see, I have just consulted my counsel, and on the advice of my counsel I must respectfully decline to answer that question.

Mr. KUNZIG. It is very hard to hear you. Please keep your voice up.

Miss ELFONT. As you all can see, I just consulted counsel and I have been advised to respectfully decline to answer that question under the fifth amendment.

Mr. KUNZIG. Did you sign a Communist Party petition in 1940?

(At this point Miss Elfont conferred with Mr. Berger.)

Miss ELFONT. Same advice, same answer.

Mr. VELDE. Same what? I am sorry; I didn't understand that.

Miss ELFONT. Same answer.

Mr. CLARDY. She is refusing, as I understand it.

Mr. KUNZIG. Were you a member of the Daily Worker Press Club in 1933, 1934, and 1936?

(At this point Miss Elfont conferred with Mr. Berger.)

Miss ELFONT. I must respectfully decline to answer that question on the same grounds.

Mr. KUNZIG. Have you ever been a member of the professional section of the Communist Political Association of Eastern Pennsylvania and Delaware, specifically during the years 1944 and 1945?

(At this point Miss Elfont conferred with Mr. Berger.)

Miss ELFONT. Same answer.

Mr. KUNZIG. Were you literary director of the professional section of the Communist Party of Eastern Pennsylvania and Delaware in 1946?

(At this point Miss Elfont conferred with Mr. Berger.)

Miss ELFONT. I respectfully decline to answer on the basis of the fifth amendment.

Mr. KUNZIG. Are you a member of the Philadelphia chapter of the Civil Rights Congress?

(At this point Miss Elfont conferred with Mr. Berger.)

Miss ELFONT. Same answer.

Mr. KUNZIG. The Civil Rights Congress, Mr. Chairman, has of course been cited.

Mr. VELDE. The same answer. Just a moment.

Miss ELFONT. I shall go back and consult my attorney.

Mr. VELDE. I take it that is a refusal to answer.

Mr. KUNZIG. I am understanding that she is refusing to answer on the grounds of the fifth amendment.

Mr. WALTER. Let us have it on the record.

Mr. KUNZIG. Yes, we will make it specific.

Mr. BERGER. May we have that question again, please?

Mr. KUNZIG. Would you read the question again, Mr. Reporter?

(Whereupon the reporter read the question as follows:)

Are you a member of the Philadelphia chapter of the Civil Rights Congress?

Miss ELFONT. I am not a member of the Civil Rights Congress.

Mr. KUNZIG. You are not a member at the present time of the Civil Rights Congress?

Miss ELFONT. That is right.

Mr. KUNZIG. Have you ever been in any way active with the Civil Rights Congress in the past?

Miss ELFONT. I decline to answer that on the basis of the fifth amendment.

Mr. KUNZIG. Mr. Chairman, the Civil Rights Congress is an organization cited as subversive and Communist by Attorney General Tom Clark in the years 1947 and 1948.

We are in possession of sworn testimony that in 1949 the witness was a member of the Philadelphia chapter of the Civil Rights Congress.

Once again, Miss Elfont, you have been identified before this committee by witnesses sworn under oath, as having been a member of the Communist Party. Have you ever been a member of that party?

Miss ELFONT. I decline to answer that question on the grounds of the fifth amendment.

Mr. KUNZIG. No further questions, Mr. Chairman.

Mr. VELDE. Mr. Clardy, do you have any questions?

Mr. CLARDY. No questions.

Mr. VELDE. Mr. Walter, do you have any questions?

Mr. WALTER. No questions.

Mr. VELDE. The witness is excused.

Call your next witness.

Mr. KUNZIG. I call Benjamin David Anton.

Mr. ANTON. Mr. Chairman, in administering the oath I would like to ask you to use the word "affirm" instead of "swear" because of my religious belief.

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you affirm that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ANTON. I beg your pardon, Mr. Chairman. In view of the fact that as a member of the Ethical Faith we have the permission to declare truth under affirmation and not under oath, using the name of any deity.

Mr. VELDE. I asked you if you will affirm and not swear in my administering of the oath. Now will you please be seated.

TESTIMONY OF BENJAMIN DAVID ANTON

Mr. ANTON. I affirm.

Now, may I ask a question with respect to the television?

Mr. VELDE. Do the lights confuse you or bother you to any degree?

Mr. ANTON. The television people have been printing in white letters—

Mr. VELDE. Will you answer this question? Do the lights of the television cameras and the newsreel cameras bother you?

Mr. ANTON. I will come to that in a half a second.

Mr. VELDE. On the order of the chairman the lights will be turned off at the present time.

Mr. ANTON. I did not ask for that. I am asking for something else in regard to television.

Mr. VELDE. This is the order on the Chair's own motion.

Mr. ANTON. No; I am not asking—

Mr. VELDE. I don't care whether you are asking it or not. It is the order of the committee.

Mr. ANTON. I haven't slept for 72 hours because my name has been given out and this committee gave out my name on Thursday to the press.

(Certain voluntary statements made by the witness were, on the motion of Mr. Clardy, ordered stricken from the record by the chairman.)

Mr. CLARDY. May I ask him a question? He made a statement of not having slept for 72 hours.

Mr. VELDE. All right.

Mr. CLARDY. Witness, and I am concerned about this, has the loss of sleep during the time that you have indicated, in your judgment put you in such physical condition that you do not feel able to go forward and do justice to yourself at this time?

Mr. ANTON. Look at me, look and decide.

Mr. CLARDY. You look perfectly normal to me.

Mr. ANTON. I am certainly within a few inches of collapse. I received a card signed by some veteran's post threatening my life.

Mr. CLARDY. I want to know about your physical condition. Are you in such physical condition that in your candid opinion it will not permit you to go forward?

Mr. ANTON. No, I am not; but if you insist, I am ready to go through, but if you will grant me that privilege I will be able to go home and go to bed.

Mr. CLARDY. Do you think that if we proceeded with the questioning that it will have an adverse effect on your health?

Mr. ANTON. Yes; I am positive.

Mr. CLARDY. Mr. Chairman, may we have a brief interim and talk to counsel here?

Mr. VELDE. Yes. Off the record.

(Discussion off the record.)

Mr. VELDE. The committee will stand in recess for 10 minutes.

(Whereupon, at 3:14 p. m., the hearing was recessed for 16 minutes.)

Mr. VELDE. The committee will be in order.

The last witness, Mr. Benjamin Anton, stated to the committee that he had not had any sleep for the last 72 hours. The committee is always inclined to grant any courtesy to a witness who appears before it. We have decided that the witness could not give clear and accurate testimony under those circumstances.

We have therefore continued his testimony until tomorrow morning at 10:30, with the hope that in compliance with his request he will treat us just as courteously tomorrow and give us information which we are seeking here in Philadelphia.

Call the next witness, please.

Mr. KUNZIG. I call Mr. David Perloff.

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PERLOFF. I do.

Mr. Chairman, these lights seem to be annoying everyone in the room but the committee, so I respectfully request that the lights be turned off.

Mr. VELDE. That request is granted.

**TESTIMONY OF DAVID PERLOFF, ACCOMPANIED BY HIS COUNSEL,
SAMUEL H. LANDY**

Mr. KUNZIG. Would you state your full name, please?

Mr. PERLOFF. My name is David Perloff.

Mr. KUNZIG. Your address, please, Mr. Perloff?

Mr. PERLOFF. My address is 7024 Cedar Park Avenue, Philadelphia.

Mr. KUNZIG. I see that you are represented by counsel. Would counsel please state his name?

Mr. LANDY. Samuel H. Landy, 1415 Walnut Street.

Mr. KUNZIG. Mr. Perloff, are you now a teacher in the Philadelphia school system?

Mr. PERLOFF. Yes; I am a teacher in the public schools.

Mr. KUNZIG. Where do you teach, sir?

Mr. PERLOFF. I teach at the Abraham Lincoln High School.

Mr. KUNZIG. And your subject, please?

Mr. PERLOFF. My subjects are bookkeeping, typing, and clerical practices.

Mr. KUNZIG. Would you give the committee a brief résumé of your educational and employment background up to the present time, please, sir?

Mr. PERLOFF. My high school is South Philadelphia High School in 1926.

My university is Temple University, 1930.

I have taken a few additional courses at Temple through the years.

My employment background, exclusive of substitute service, consists of these: 1934, Mastbaum Vocational School, approximately 15 years, to 1949.

Thereafter, to William Penn.

Thereafter, to Frankford High School.

Thereafter, to Lincoln.

Mr. KUNZIG. Now, sir, this committee is in possession of sworn testimony that you have been a member of the Communist Political Association. Have you ever been a member of that organization?

Mr. PERLOFF. I decline to answer that question on the ground of the fifth amendment.

Mr. KUNZIG. We also have sworn testimony that you held membership card in the Communist Party No. 78363, in and around 1944 or 1945. Did you have such a card, sir?

Mr. PERLOFF. I decline to answer that question on the grounds of the fifth amendment.

Mr. KUNZIG. There is also sworn testimony by witnesses before this committee that you were a member of the Olney Club in 1945 of the Communist Party, is that correct?

Mr. PERLOFF. I decline to answer on the grounds of the fifth amendment.

Mr. KUNZIG. In May of 1945 we have testimony that you transferred from the Olney Club to section 8 of district 3 of the Communist Party, is that correct?

(At this point Mr. Perloff conferred with Mr. Landy.)

Mr. PERLOFF. Same reason, same answer.

Mr. KUNZIG. There is also testimony that in that year you had membership book or card No. 87622. Did you have such membership card number?

Mr. PERLOFF. Same answer, Mr. Chairman.

Mr. KUNZIG. As is well known and as has been testified before this committee, at times the Communist Party membership would use a key number when they paid their dues rather than to give their names.

There has been sworn testimony that in 1945, sir, you had key No. 13, is that correct?

Mr. PERLOFF. Mr. Chairman, I refuse to answer on the grounds of the fifth amendment.

Mr. KUNZIG. Did you ever act as an instructor in the Philadelphia School of Social Science and Art? If so, when?

Mr. PERLOFF. On the basis of the first and fifth amendments, I decline to answer the question.

Mr. KUNZIG. This committee has sworn testimony that the witness did so teach, Mr. Chairman, and taught the Russian language at the Philadelphia School of Social Science and Art.

This organization has been cited as an adjunct of the Communist Party by Attorney General Tom Clark in a letter to the Loyalty Review Board released December 4, 1947.

In 1946, Mr. Perloff, were you a member of the North Philadelphia branch of the professional section of the Communist Party of eastern Pennsylvania and Delaware?

Mr. PERLOFF. Mr. Chairman, I decline to answer on the grounds of the fifth amendment.

Mr. KUNZIG. We have sworn testimony that such was the fact.

Have you ever been a member of the Communist Party at any time, sir?

Mr. PERLOFF. Mr. Chairman, I refuse to answer on the grounds of the fifth amendment.

Mr. KUNZIG. No further questions, Mr. Chairman.

Mr. VELDE. Do you have any questions, Mr. Clardy?

Mr. CLARDY. No questions.

Mr. VELDE. Mr. Walter, do you have any questions?

Mr. WALTER. No questions.

Mr. VELDE. The witness is dismissed.

Call your next witness.

Mr. KUNZIG. I call Sadie Atkinson.

Mr. VELDE. In the testimony which you are about to give before this committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. ATKINSON. I do.

Before I begin my testimony I should like to object to the telecast, Your Honor.

Mr. VELDE. The lights will be turned off.

Mrs. ATKINSON. I object to the telecast with or without the lights.

Mr. VELDE. Will the lights confuse the witness?

Mrs. ATKINSON. The point is that I object to the telecast.

Mr. CLARDY. What did you say?

Mrs. ATKINSON. I understand that there is a ruling that if the witness objects to the telecast the court will order that it be turned off.

Mr. VELDE. First of all, this is not a court. That will be a matter of decision for the committee.

(Discussion off the record.)

Mr. VELDE. The committee's decision in this matter is that the telecast and television cameras be turned off at this time and that they not photograph the witness.

Mr. KUNZIG. Shall I proceed, Mr. Chairman?

Mr. VELDE. Yes.

TESTIMONY OF SADIE T. ATKINSON, ACCOMPANIED BY HER ATTORNEY, FRANKLIN POUL

Mr. KUNZIG. Would you state your name, please?

Mrs. ATKINSON. Sadie T. Atkinson.

Mr. KUNZIG. Is it Miss or Mrs.?

Mrs. ATKINSON. It is Mrs. Atkinson.

Mr. KUNZIG. And your address, Mrs. Atkinson?

Mrs. ATKINSON. 2203 North Seventh Street, Philadelphia.

Mr. KUNZIG. Are you presently a teacher in the Public schools?

Mrs. ATKINSON. Yes, I am.

Mr. KUNZIG. At what school?

Mrs. ATKINSON. I am at the Clara Barton Public School, elementary school.

Mr. KUNZIG. What grade do you teach there?

Mrs. ATKINSON. I teach the first grade.

Mr. KUNZIG. Mrs. Atkinson, would you give the committee a brief résumé of your educational and employment background?

Mrs. ATKINSON. Yes, sir. I am a graduate of the Whittier Elementary School, the Philadelphia High School for Girls, the Philadelphia Normal School, and Temple University.

My employment for the last 10 years is that I have been employed by the Philadelphia Board of Education as a teacher, beginning in 1943.

Mr. KUNZIG. Mrs. Atkinson, I neglected to ask your counsel to state his name and address for the record.

Mr. POUL. Franklin Poul, 2100 Girard Trust Building, Philadelphia, Pa.

Mr. KUNZIG. Mrs. Atkinson, have you ever been a member of the Communist Party at any time?

Mrs. ATKINSON. I decline to answer on the grounds of possible self-incrimination, based on the fifth amendment of the Constitution.

Mr. KUNZIG. This committee has sworn testimony, Mrs. Atkinson, by witnesses before the committee, under oath, that you have been a member of the United People's Club of the Communist Party, is that correct?

Mrs. ATKINSON. I decline to answer on the same grounds.

Mr. KUNZIG. We also have sworn testimony that your Communist membership book in the year 1945 was No. 86905. Did you have such a Communist Party membership book?

Mrs. ATKINSON. I invoke the privileges of the fifth amendment on the same grounds.

Mr. KUNZIG. Mr. Chairman, at this time I have no further questions.

Mr. VELDE. Do you have any questions, Mr. Clardy?

Mr. CLARDY. No questions.

Mr. VELDE. Mr. Walter, do you have any questions?

Mr. WALTER. No questions.

Mr. VELDE. The witness is excused.

Call your next witness.

Mr. KUNZIG. I call Adele Margolis.

Mr. VELDE. In the testimony you are about to give before the subcommittee, do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MARGOLIS. I do.

Mr. Chairman, I have no objection to the television or the cameras except for this business in front here which I find disconcerting.

Mr. VELDE. Will the news photographers please take their pictures and leave?

Mrs. MARGOLIS. And also those fairly large lights.

Mr. VELDE. Do the lights confuse you?

Mrs. MARGOLIS. Yes, they bother my eyes.

Mr. VELDE. All right, the lights will be turned off.

Mrs. MARGOLIS. Before we begin I should like to say that the subpoena issued for me was dated October 5, 1953, and it was served to me on Saturday afternoon at 1 o'clock, November 14. I was told to report here Monday morning at 10:30. I think you will agree that this is fairly short notice, in light of the date on which the subpoena was issued.

Mr. VELDE. It is my understanding that the subpoena was continued to today.

Mrs. MARGOLIS. Yes, I have been in the city the entire time since October 5 and it could have been served to me a little earlier to prepare for this session.

Mr. VELDE. Would you be inclined to answer questions that are asked of you without invoking the fifth amendment if the committee would grant an extension of your subpoena?

Mrs. MARGOLIS. I beg your pardon?

(At this point Mrs. Margolis conferred with Miss Forer.)

Mrs. MARGOLIS. Mr. Chairman, I have no idea of what you are going to ask me. I would prefer to hear just what it is that you would like to know first before I commit myself.

Mr. VELDE. Counsel will proceed.

TESTIMONY OF ADELE POLLOCK MARGOLIS, ACCOMPANIED BY HER COUNSEL, LOIS FORER

Mr. KUNZIG. Would you state your full name, please?

Mrs. MARGOLIS. Adele Pollock Margolis.

Mr. KUNZIG. And your address, please, Mrs. Margolis?

Mrs. MARGOLIS. 840 Asbury Terrace, Philadelphia.

Mr. KUNZIG. Are you the wife of the witness who appeared here earlier today?

Mrs. MARGOLIS. I am.

Mr. KUNZIG. Would counsel please state her name again for the record?

Miss FORER. Lois Forer.

Mr. KUNZIG. Mrs. Margolis, you are not presently a teacher in the Philadelphia schools; is that correct?

Mrs. MARGOLIS. That is correct, Mr. Kunzig, and in light of the fact that you have called teachers here for questioning I am at a little of a loss to know why you have called me for I have not been a teacher in the Philadelphia schools since 1948.

Mr. KUNZIG. We will ask the questions and we will just go right ahead, whether you were a teacher or not.

Mrs. Margolis, what is your educational background, please, a brief résumé?

Mrs. MARGOLIS. May I finish this one statement?

Mr. KUNZIG. I have asked a question.

Mrs. MARGOLIS. Very well, then. I went to the schools in Philadelphia. I graduated from the William Penn High School for Girls.

I went to the Philadelphia Normal School.

I took college extension courses, collateral extension courses, at the University of Pennsylvania.

I have, in addition, studied art and fashion design and pattern drafting.

Mr. KUNZIG. What has your employment been through the years?

Mrs. MARGOLIS. I have taught in the Philadelphia schools since graduation from the normal school.

Mr. KUNZIG. When did you first start to teach?

Mrs. MARGOLIS. September 1930.

Mr. KUNZIG. Where did you teach, Mrs. Margolis?

Mrs. MARGOLIS. I taught at the Fox Chase School.

I took time out to have a daughter.

I taught at the Darrah School, the Forrest School, and Crispin.

When my division was dropped at the Crispin School I was transferred to the Brown School, and my last employment was at Moffett.

Mr. KUNZIG. On March 31, 1946, you resigned at that time from the school system; am I correct?

Mrs. MARGOLIS. That is right.

Mr. KUNZIG. At that time you took over the duties of field director of the schools in the college division of Philadelphia Council of American-Soviet Friendship; is that right?

Mrs. MARGOLIS. That is right.

Mr. KUNZIG. How long did you remain with the Philadelphia Council of American-Soviet Friendship?

Mrs. MARGOLIS. Until the summer of 1947.

Mr. KUNZIG. Were you ever connected in any way with the National Council of American-Soviet Friendship?

Mrs. MARGOLIS. Just inasmuch as the job I had was part of the national division.

Mr. KUNZIG. The National Council of American-Soviet Friendship was cited, Mr. Chairman, as subversive and Communist by Attorney General Tom Clark in 1947 and again in 1948.

Mrs. MARGOLIS. Mr. Chairman, I wish to protest that the Supreme Court of the United States instructed that that organization be removed from the Attorney General's list until it had had a hearing, and to date it has not had.

Therefore, I cannot accept the term "subversive organization" for that organization.

Mr. VELDE. Proceed, Mr. Kunzig.

Mr. KUNZIG. Have you ever been a member of the Communist Party, Mrs. Margolis?

(At this point Mrs. Margolis conferred with Miss Forer.)

Mrs. MARGOLIS. I decline to answer under the privileges of the fifth amendment.

Mr. KUNZIG. Did you apply for reinstatement as a teacher with the Philadelphia County Board of Education in 1950?

Mrs. MARGOLIS. I did.

Mr. KUNZIG. Were you given employment or denied employment? (At this point Mrs. Margolis conferred with Miss Forer.)

Mrs. MARGOLIS. I applied for a position in 1950 when I heard that there had been a shortage of teachers. I was not given any employment at that time for reasons which were not stated.

Mr. KUNZIG. Did you ever have Communist Party membership book No. 78377 in 1944?

Mrs. MARGOLIS. I decline to answer that question under the fifth amendment.

Mr. KUNZIG. Did you have Communist Party book No. 87631 in 1945?

Mrs. MARGOLIS. I decline to answer that question for the same reason.

Mr. KUNZIG. We have sworn testimony, Mrs. Margolis, that you did have those two Communist Party membership numbers in those 2 years.

We also have sworn testimony that in 1947 you were a member of the FDR Club, section 11, of the Communist Party, United States of America.

Mr. VELDE. Just a moment, the witness wants to confer with her attorney.

(At this point Mrs. Margolis conferred with Miss Forer.)

Mrs. MARGOLIS. Mr. Chairman—

Mr. VELDE. Do you recall the question that was asked?

Mrs. MARGOLIS. Yes, I do. I would like to be confronted with the witnesses who have given you this information.

Mr. VELDE. You have the information within your own knowledge, I am sure, and we are asking you and giving you this chance to answer.

Mrs. MARGOLIS. You are assuming that I have the information within my own knowledge.

Mr. VELDE. Do you have the information within your own knowledge?

Mrs. MARGOLIS. Mr. Chairman, I have seen several witnesses here in this courtroom, yesterday Dr. Dodd and this morning Mrs. Funn, give, I consider, some rather irresponsible testimony, and I would like to make sure that people who accuse me of such things are people—

Mr. VELDE. Is my assumption true or false that you have the information within your own knowledge with which to answer that question?

Mrs. MARGOLIS. I decline to answer that question under the fifth amendment.

Mr. VELDE. Proceed, Mr. Kunzig.

Mr. KUNZIG. I will repeat that last question: Have you ever been, during 1947, a member of the FDR Club, section 11, of the Communist Party, United States of America?

(At this point Mrs. Margolis conferred with Miss Forer.)

Mrs. MARGOLIS. Mr. Kunzig, I would like to see some of the elementary rules of evidence observed, and I decline to answer that question.

Mr. WALTER. What elementary rules, for example?

Mrs. MARGOLIS. I would like to be confronted with the people who have given you this information.

Mr. WALTER. If you are confronted with them, will you answer the question?

Mrs. MARGOLIS. Yes, I will.

Mr. WALTER. I suggest, Mr. Chairman, that the subpoena be continued and the witness be given an opportunity to hear the evidence that now has been adduced by this committee.

Mrs. MARGOLIS. I do not want to hear the evidence. I would like to be confronted with my accuser.

Mr. VELDE. Again I want to explain to you, and possibly you were not in the hearing room when I explained it, this is not a court of law. You are not being tried or accused of anything. You are here simply to give us some information.

(At this point Mrs. Margolis conferred with Miss Forer.)

Mrs. MARGOLIS. It seems to me that I am being accused. You have stated certain things about me. This information is going over the air and it is being issued to the press. For all practical purposes I have been accused.

Mr. WALTER. Accused of what?

Mrs. MARGOLIS. Of these things which you say are true about me.

Mr. WALTER. It is no crime to be a member of the Communist Party.

Mr. KUNZIG. Do you know a Philip Bart, an identified member of the Communist Party?

Mrs. MARGOLIS. I refuse to answer that question under the grounds of the fifth amendment.

Mr. KUNZIG. Isn't it a fact that you have had numerous meetings with Philip Bart who at one time was chairman of district 3 of the Communist Party on Communist Party business?

Mrs. MARGOLIS. I refuse to answer that question for the same reason.

Mr. KUNZIG. We have sworn testimony of that fact, Mr. Chairman.

Mrs. MARGOLIS. Again, Mr. Kunzig, I would like to be confronted with the person who gave you the information.

Mr. KUNZIG. On April 4, 1949, did you attend a peace rally sponsored by the Philadelphia Council of Arts, Sciences, and Professions held at the Metropolitan Opera House at Broad and Poplar Streets, Philadelphia, Pa.?

Mrs. MARGOLIS. Mr. Kunzig, I arranged that meeting.

Mr. KUNZIG. That is correct?

Mrs. MARGOLIS. I did.

Mr. KUNZIG. That is the next question. You beat me.

Mrs. MARGOLIS. I did, and I am very proud of it.

Mr. KUNZIG. This was in your capacity as executive secretary of the Philadelphia Council of Arts, Sciences, and Professions?

Mrs. MARGOLIS. That is right.

Mr. KUNZIG. I have already read the citation with respect to that group.

Again with respect to the question as to whether you have ever been at any time a member of the Communist Party, am I correct that you refuse to answer on the grounds of the fifth amendment?

Mrs. MARGOLIS. I do.

Mr. KUNZIG. No further questions, Mr. Chairman.

Mrs. MARGOLIS. May I make a statement?

Mr. VELDE. Not unless your statement answers the questions asked of you.

Do you have any questions, Mr. Clardy?

Mr. CLARDY. No questions.

Mr. VELDE. Mr. Walter, do you have any questions?

Mr. WALTER. No questions, Mr. Chairman.

Mr. VELDE. The witness is excused.

Will you call the next witness, Mr. Kunzig?

Mr. KUNZIG. I call Caroline Kramer Perloff.

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. PERLOFF. Yes, I do.

Mr. Chairman, will you kindly have the lights turned off?

Mr. VELDE. Yes; the lights will be turned off.

TESTIMONY OF CAROLINE KRAMER PERLOFF, ACCOMPANIED BY HER COUNSEL, SAMUEL H. LANDY

Mr. KUNZIG. Would you state your full name, please?

Mrs. PERLOFF. Caroline Kramer Perloff.

Mr. KUNZIG. What is your address, Mrs. Perloff?

Mrs. PERLOFF. 7024 Cedar Park Avenue.

Mr. KUNZIG. Will counsel state his name for the record?

Mr. LANDY. Samuel H. Landy.

Mr. KUNZIG. Are you a teacher at the present time, Mrs. Perloff?

Mrs. PERLOFF. Yes, I am.

Mr. KUNZIG. At what school?

Mrs. PERLOFF. At the Ferguson School.

Mr. KUNZIG. Where is that?

Mrs. PERLOFF. Seventh and Norris Street.

Mr. KUNZIG. What do you teach?

Mrs. PERLOFF. I am a counseling teacher.

Mr. KUNZIG. What are your responsibilities in that function?

Mrs. PERLOFF. As a counseling teacher I work with children who have problems and I try to help them work their problems out so that they can adjust better in a school situation.

Mr. KUNZIG. Are you related to the preceding witness earlier today, David Perloff?

Mrs. PERLOFF. Yes, I am.

Mr. KUNZIG. Are you his wife?

Mrs. PERLOFF. Yes, I am.

Mr. KUNZIG. Mrs. Perloff, briefly what is your educational and employment background?

Mrs. PERLOFF. I am a graduate of the South Philadelphia High School for Girls, also a graduate of the Philadelphia Normal School.

I took courses at the University of Pennsylvania, in addition.

I was appointed to the school system in 1931, taught at Baldwin School. I was there until I took maternity leave in about 1934.

I returned to the same school and I taught there until about 1945 when I took a second maternity leave.

On my return I was appointed as a counseling teacher at the Ferguson School, where I have been since.

Mr. KUNZIG. We have sworn testimony, Mrs. Perloff, that in 1944 you were a member of the Communist Party and you held membership book No. 78364; is that correct?

(At this point Mrs. Perloff conferred with Mr. Landy.)

Mrs. PERLOFF. I decline to answer under the protection of the fifth amendment.

Mr. KUNZIG. In 1945, we have sworn testimony that you were a member of the North Philadelphia group of section 8 of the Communist Party, having membership book No. 87623. Is that correct?

Mrs. PERLOFF. I decline to answer under the privilege of the fifth amendment.

Mr. KUNZIG. We also have sworn testimony that during the year 1945, as I mentioned earlier when I explained what a key number was, that in connection with paying dues you had key No. 14; is that correct?

Mrs. PERLOFF. I decline to answer under the fifth amendment.

Mr. KUNZIG. Have you ever at any time, Mrs. Perloff, been a member of the Communist Political Association or the Communist Party?

Mrs. PERLOFF. I decline to answer under the fifth amendment.

Mr. KUNZIG. No further questions, Mr. Chairman.

Mr. VELDE. Do you have any questions, Mr. Clardy?

Mr. CLARDY. No questions.

Mr. VELDE. Mr. Walter, do you have any questions?

Mr. WALTER. No questions.

Mr. VELDE. The witness is excused.

It is now the usual hour for adjournment. All those witnesses who were subpoenaed for today and have not been reached will report at 10 o'clock, not 10:30, I will emphasize that, and those who were subpoenaed for tomorrow will also appear at that time.

The hearing will stand adjourned until 10 o'clock tomorrow morning in this same room.

(Whereupon, at 4:04 p. m., the hearing was adjourned until 10:00 a. m. of the following day.)

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE PHILADELPHIA AREA—Part 2

WEDNESDAY, NOVEMBER 18, 1953

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON
UN-AMERICAN ACTIVITIES,
Philadelphia, Pa.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to adjournment, at 10:06 a. m., in courtroom No. 1, United States Courthouse, Ninth and Chestnut Streets, Philadelphia, Pa., Hon. Harold H. Velde (chairman) presiding.

Committee members present: Representatives Harold H. Velde and Francis E. Walter.

Staff members present: Robert L. Kunzig, counsel; Earl Fuoss and C. E. McKillips, investigators; and Juliette P. Joray, acting clerk.

Mr. VELDE. The subcommittee will be in order.

Will you proceed, Mr. Counsel, with your first witness?

Mr. KUNZIG. I call Benjamin David Anton.

Mr. VELDE. You have already been affirmed and that will carry over to today.

TESTIMONY OF BENJAMIN DAVID ANTON

Mr. KUNZIG. Would you state your full name, please, sir?

Mr. ANTON. Benjamin David Anton.

Mr. KUNZIG. And your address?

Mr. ANTON. I can write that for you and it can be put in the record [4336 Pine Street].

I will say roughly it is in the vicinity of 43d and Pine, and I will not give it out loud so that it will not be publicized, in view of the previous hearings.

Mr. VELDE. Yes; you may do that.

Mr. KUNZIG. When and where were you born, Mr. Anton?

Mr. ANTON. In a town near Kiev, Russia, in 1894, June 10.

Mr. KUNZIG. Are you connected with the Philadelphia school system?

Mr. ANTON. Yes.

Mr. KUNZIG. In what capacity?

Mr. ANTON. I am principal of the Baldwin Public School.

Mr. KUNZIG. Would you give the committee a brief résumé of your education and background and your employment in the schools?

First of all, I see that you are not represented by counsel. You understand your right to have counsel if you so desire?

Mr. ANTON. Yes; I do.

Mr. KUNZIG. Would you give us the résumé now, please?

Mr. ANTON. I was educated in the elementary schools of the city of Philadelphia. I graduated from Central High School in 1911.

I attended Temple Law School from 1918 to 1922 and was admitted to practice at the bar in 1922.

I attended extension courses at Temple University and in 1932 earned a bachelor of science degree, and by 1936 a master of science degree.

I took postgraduate courses at Columbia University, and in my religious education I took courses at the Talmud-Torah.

My teaching experience is as follows: I was a teacher at various Philadelphia elementary schools from 1914 to 1921. In 1921 I was appointed to teach at the Thomas Junior High School.

My subjects were mathematics and general public training.

In 1926 I was transferred to the Holmes Junior High School, where my subjects were art, algebra, junior business training, and geography.

In 1927 I was appointed an auxiliary principal in the Philadelphia schools and from 1927 to 1930 as an auxiliary principal I served in some thirty-odd schools throughout the city. Some were new buildings that were overcrowded as they were also. Some were old buildings, firetraps, some were buildings that had classrooms with no windows, some that had classrooms in the basement for children, and I was so moved and disturbed by these conditions that I said to myself if I ever have a chance to improve and correct conditions in education in Philadelphia I will do that, and I had that opportunity through work in the Teachers' Union.

I was principal in the Northwestern School at Fifteenth and Ray Streets from 1930 to 1933.

A Government survey at that time found that there was an incidence of 22 percent—

Mr. KUNZIG. Just a moment. Have you given us the names of the schools where you taught? Let us not get into some of these other matters.

Mr. ANTON. I was director of educational, religious education and activities at the West Philadelphia Community Center in 1927-28.

I was an instructor in contract law for a group of pupils of LaSalle Extension University in the local area from 1929 and 1930.

I was an instructor in various religious schools on Sundays from 1930 to 1951.

I was superintendent of the Philadelphia Ethical Society Sunday School from 1950 to 1952.

I taught methods and techniques of teaching at the Teachers' Union workshop from 1940 to 1943.

I taught many groups in the civilian defense work during the 4 war years, and I have many citations for work in the defense, the bond drives, the various community drives, cancer crusades, the Red Cross, and others.

Mr. KUNZIG. What public schools were you principal of, if you were a principal, from the time that you have mentioned this morning?

Mr. ANTON. Auxiliary principal of about 30, principal of Northwestern School and principal of the Baldwin School.

At the Baldwin School I have been principal for the past 21 years.

Mr. KUNZIG. Mr. Anton, this committee has sworn testimony that you have been a member of the professional section of the Communist Party. Have you ever been a member of the Communist Party?

Mr. ANTON. May I consult my notes just a minute?

Mr. KUNZIG. Certainly.

Mr. ANTON. Which is the question, the professional group?

Mr. KUNZIG. Well, I will ask you first, have you ever been a member of the Communist Party at any time?

Mr. ANTON. To answer that question, I would like to have a half minute to point out why I do not give you a yes or no immediately. The Congressman who heads this committee is a human being. He has a soul. He has a conscience. He is a politician. He is an investigator of this committee and perhaps he may be a future President.

Now in these capacities when a question is asked you have to concern yourself with which term he is asking the question. Is it as a police inspector and you want a yes or no answer?

Mr. KUNZIG. The question is being asked by this committee under the powers granted it by law, by the Congress of the United States of America, and we are asking you a very simple, clear question, and that question is, Mr. Anton, "Have you ever been a member of the Communist Party?"

Mr. ANTON. But the question is not a clear question, as I just pointed out to you, that it can be asked in the variety of categories.

An aura is set up on all legislation that had to do with thinking, discussion, association, an aura is set up whereby at certain times and under certain circumstances criminal—

Mr. VELDE. Let me tell you this, that you were called here as a witness to give to the Un-American Activities Committee information relative to subversive activities.

The question asked you by counsel is very simple. Certainly you have within your knowledge whether you were ever a member of the Communist Party or not. Therefore, the Chair directs you to answer the question.

Mr. ANTON. I am trying to answer the question in my way, which to me seems reasonable.

Mr. WALTER. In view of the fact that you regard Mr. Velde as a person of many capacities, perhaps it would be better and you would be more willing to answer the question if it came from me, an unwilling member of this committee.

Have you ever been a member of the Communist Party?

Mr. ANTON. I am going to answer the question.

Mr. WALTER. Well, answer it. It is very simple.

Mr. ANTON. In view of the circumstances of this investigation, I have to answer it and to point out wherein criminal danger is involved and in legislation that has to do with thinking and association, there are in times of hysteria, and I think a hysteria has been created now, a criminal action may be attached.

Therefore, I want to avail myself of certain protections of law.

Mr. WALTER. In that connection I think it might be well for you as a teacher and for all the teachers of Philadelphia to take the editorial appearing in today's Philadelphia Inquirer, a splendid editorial on the fifth amendment, and call it to your attention, call it to the

attention of those whose thinking you mold, and then say that you heard Congressman Walter state that he had just returned from the Iron Curtain countries and had talked with dozens—no—hundreds of people who would be mighty happy if they had a fifth amendment to protect them from the sort of oppression that they are facing today.

Have you read that editorial?

Mr. ANTON. No; I haven't. I thank you for calling that to my attention.

Mr. WALTER. Just take time to read that editorial on the fifth amendment.

Mr. ANTON. I shall read the editorial. I am not concerned with the Iron Curtain countries. I am concerned with America.

Mr. WALTER. I do not think there are enough Americans who are concerned with it. I do not think there are enough Americans who are hysterical, if that is what you are talking about. I do not think there are enough people who really appreciate what the situation is.

I have asked you a simple question. It doesn't take a Philadelphia lawyer to understand it.

Have you ever been a member of the Communist Party?

Mr. ANTON. May I consult my notes?

I decline to answer that question for I believe it may incriminate me or lead to a chain of circumstances in which I may have to violate the code of an American to refrain from being an informer.

Mr. WALTER. May I interrupt you at that point. An informer, informing on yourself, is that what you are talking about?

Mr. ANTON. No.

Mr. WALTER. That, in my opinion, is an informer. You haven't been asked about anybody else. You have been asked about your own activities.

Mr. ANTON. As I have read some of the reports of investigative committees, there is a search for information. There is a search for information for fingering other people who innocently may have been involved, who had no concern with what was going on and who may be, by association, called criminals, and in view of the fact that this legislation on thinking and discussion——

Mr. WALTER. What legislation on thinking and discussion?

Mr. ANTON. The legislation that instituted this committee that results in my being accused of committing a crime, and in order to protect myself I invoke the privileges of the fifth amendment, and as a supervisory official in a corporate organization under the authority of the State of Pennsylvania, namely the School District of Philadelphia, which looks to the State of Pennsylvania to give it orders, direction, legislation and so on, on the tenth amendment which forbids invasion of State's rights, and on the advice recently given to the teachers by President Eisenhower who said to us we should guard with devoted vigilance the freedom of thought and discussion which inspire freemen to teach all men how to be free.

Mr. WALTER. And you think that that——

Mr. ANTON. Applies to me.

Mr. WALTER. You think that that is a directive from the present occupant of the White House to certain people to teach the overthrow of the American form of government?

Mr. ANTON. No. It teaches men to value the freedom of thinking and discussion because in that, the market place of ideas, civilization will advance.

Mr. WALTER. Will you answer the question, please? Have you ever been a member of the Communist Party?

Mr. ANTON. I decline to answer that question, using the privilege of the 5th amendment, the 10th amendment.

Mr. WALTER. And the first amendment?

Mr. ANTON. And the first amendment, thank you.

Mr. WALTER. I have heard that before from coast to coast.

Mr. ANTON. The first amendment is a wonderful amendment.

Mr. WALTER. I heard all about it even before the Supreme Court held that it had no application in this.

Mr. KUNZIG. We should make one point very clear. This committee is investigating and is empowered to investigate communism wherever it may be in the United States. We are not here investigating schools. We are here investigating subversive activities.

Mr. WALTER. I think everybody understood that who wants to understand that.

Mr. KUNZIG. Mr. Anton, we have sworn testimony that you were a member of the professional section of the Communist Party and in 1944 you held Communist Party membership card No. 78283. Is that correct?

Mr. ANTON. I decline to answer that, invoking the privilege of the first amendment, invoking the privilege of the fifth amendment, and invoking the privilege of the tenth amendment.

Mr. KUNZIG. We have sworn testimony that in 1945 you held Communist Party membership card No. 87613, is that correct?

Mr. ANTON. I decline to answer that question as I have explained to you, that freedom of discussion, thinking, association, under certain hysterical legislation may at times lead to a chain where criminal imputation may involve, and I invoke the privileges of the fifth amendment, and also as a supervisory official.

Mr. KUNZIG. All that means is that you refuse to answer the question on the grounds that you may in some way be incriminated.

Mr. ANTON. I decline to answer because in some way I may be incriminated.

Mr. KUNZIG. You have already mentioned the Teachers' Union here in Philadelphia. What were your activities and when did you first become involved with the Teachers' Union in Philadelphia?

Mr. ANTON. I first became a member of the Teachers' Union in Philadelphia in about 1921.

At that time the junior high school idea was being expanded. In May the junior high school teachers received appointments on secondary scholarships which called for a maximum of \$2,100.

In July of that year the board of education met and set up a salary schedule in which the maximum was about \$2,200 or \$2,400, considerably less than the maximum that the teachers are expected to get.

Mr. KUNZIG. When did you first become an officer of the Teachers' Union?

Mr. ANTON. I am coming to that.

Mr. KUNZIG. When did you first become an officer in the Teachers' Union?

Mr. ANTON. I have to complete what I have been talking about to make this situation clear.

Mr. KUNZIG. When did you first become an officer of the Teachers' Union?

Mr. ANTON. In giving the answer to that question I have to finish the sentence, but in 1927—

Mr. VELDE. Before proceeding, the Chair would like to have you identify the Teachers' Union you are referring to a little more specifically.

Mr. KUNZIG. The Teachers' Union I am referring to is the one we have been referring to all through these hearings, local No. 192 which was originally known as that and then it became independent and then it became local No. 556, and now it is independent again. It is an independent union known as the Teachers' Union of Philadelphia, headed by Mr. Jennings at the present time.

Mr. ANTON. You asked me a former question.

Mr. KUNZIG. I asked you when you first became associated.

Mr. ANTON. I said 1921.

Mr. KUNZIG. I asked you when you first became an officer of the Teachers' Union.

Mr. ANTON. Let me finish. Let us be courteous. It will only take a half a minute.

Mr. KUNZIG. I would like to request that the witness be ordered to answer when he first became an officer of the Teachers' Union.

Mr. ANTON. You have asked two questions.

Mr. VELDE. We were, I think, reasonably courteous to you in extending your subpoena until this morning due to the fact that you had not had any sleep.

Mr. ANTON. I thank you because sweet sleep has knit up the raveled care.

Mr. VELDE. Now that you have had sleep, could you give us any information?

Mr. ANTON. No, I am not offering the information. You are shutting off my statements on the information you ask me. I am still answering the question you asked and you shut me off.

Mr. VELDE. It always has been the practice of this committee if the witness will answer the question to allow him later on to expand his answer.

Mr. ANTON. I joined the Teachers' Union in 1921.

Mr. VELDE. And when a witness uses the fifth amendment, there is no reason why we should listen to a lot of guff from the witness.

Mr. ANTON. I am sorry that you look upon it as guff because to me it is hardly that. It is a very serious situation.

Mr. KUNZIG. I am asking you a very simple question. I asked you when you first became connected with the Teachers' Union and you answered that, and now I am asking you when you first became an officer of the Teachers' Union. The date is what I am seeking.

Mr. ANTON. May I consult my notes?

Mr. KUNZIG. Yes.

Mr. ANTON. In either 1939 or 1940 I was elected, I think as the elementary representative on the executive board of local No. 192.

Mr. KUNZIG. When did you become president or chairman, if you did?

Mr. ANTON. I believe about 1942.

Mr. KUNZIG. How long did you remain head of the Philadelphia Teachers' Union?

Mr. ANTON. From 1942 to 1946 or 1947. I am not sure of the closing date because I was injured by a reckless driver and I stopped activities, outside activities from that time on because of a very bad leg.

Mr. KUNZIG. Are you still a member of the Teachers' Union?

Mr. ANTON. I retain my membership.

Mr. KUNZIG. Are you an officer of the Teachers' Union today?

Mr. ANTON. I am a member of the executive committee.

Mr. KUNZIG. You submitted a voluntary statement to this committee, Mr. Anton, and the first statement you make in that, I might add, was that this statement is not under oath but is voluntary, telling about your work in the community and your teaching work, and your first statement was:

First, let me state emphatically that neither now nor ever was I a member of an organization that advocated the overthrow of our Government.

Let me ask you that here in this hearing room today under oath: Have you ever been a member of any organization that advocated the overthrow of our Government?

Mr. ANTON. As I explained to you on the business of discussion, thinking, in view of the tortuous situation that has developed under these things, under the 1st, 5th, and 10th amendments——

Mr. KUNZIG. You refuse to answer?

Mr. ANTON. I decline to answer.

Mr. KUNZIG. In other words, what you are saying is that you are perfectly willing to say this on a piece of paper, submit it to the committee and say respectfully submitted and so forth, I make the following statement, but when asked the same question, Mr. Anton, under oath before the same committee, you refuse to answer on the grounds of the fifth amendment; is that correct?

Mr. ANTON. That is correct.

Mr. WALTER. Why do you pay any attention to that statement?

Mr. KUNZIG. It obviously can have no credence.

Mr. WALTER. When was this submitted?

Mr. KUNZIG. Recently, within the last few weeks.

I have no further questions, Mr. Chairman.

Mr. ANTON. As a friendly witness I would like to say something.

Mr. KUNZIG. Just a minute, please.

Mr. VELDE. There is no question pending.

Mr. KUNZIG. No further questions, Mr. Chairman.

Mr. ANTON. I would like to offer this as a friendly witness to include this in the legislation you propose.

Mr. VELDE. There is no question pending.

Call the next witness.

Mr. KUNZIG. I call Dr. Robert Rutman.

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Dr. RUTMAN. I do.

Mr. KUNZIG. You may be seated.

Dr. RUTMAN. May we dim the lights?

Mr. VELDE. The lights will be turned off.

TESTIMONY OF ROBERT J. RUTMAN, ACCOMPANIED BY HIS
COUNSEL, DAVID BERGER

Mr. KUNZIG. Will you state your full name, please, sir?

Dr. RUTMAN. My name is Robert J. Rutman.

Mr. KUNZIG. And your address, Dr. Rutman?

Dr. RUTMAN. 6331 Ross Street, Philadelphia, Pa.

Mr. KUNZIG. Would your attorney please state his name for the record?

Mr. BERGER. David Berger, 1516 Girard Trust Building, Philadelphia, Pa.

Mr. KUNZIG. Would you state your present employment, Dr. Rutman?

Dr. RUTMAN. I am employed as an assistant professor of biological chemistry engaged in research into the causes of cancer at the department of biological chemistry in the Jefferson Medical College, Philadelphia.

Mr. KUNZIG. You are not a medical doctor, is that right?

Dr. RUTMAN. That is right, sir. I am a doctor of philosophy in biological chemistry.

Mr. KUNZIG. Would you give the committee a brief résumé of your educational background?

Dr. RUTMAN. My public-school education occurred in New York City, and I graduated from high school there also.

I received my bachelor of science in biological chemistry from the Pennsylvania State College, and some time later received the degree of doctor of philosophy in biological chemistry from the University of California at Berkeley, Calif.

Mr. KUNZIG. When was that?

Dr. RUTMAN. That was officially probably in 1950.

Mr. KUNZIG. When did you graduate from undergraduate school?

Dr. RUTMAN. February 1940.

Mr. KUNZIG. That is the conclusion of your formal education?

Dr. RUTMAN. My formal education.

Mr. KUNZIG. Would you give us a résumé of your employment background?

Dr. RUTMAN. Upon graduation from the Pennsylvania State College, my first employment was as an agricultural chemist in the Texas Agricultural and Mechanical College, College Station, Tex.

Shortly thereafter I had a part-time employment with the United States Geodetic Survey Division of Water Analysis on a temporary basis for some 4 months.

Then upon completion of my doctoral training I received my appointment to the faculty of the Jefferson Medical College.

Mr. KUNZIG. Where are you at the present time, at the Jefferson Medical College?

Dr. RUTMAN. That is right.

Mr. KUNZIG. Have you ever at any time, Dr. Rutman, been a member of the Communist Party?

Dr. RUTMAN. You will excuse our moving back, the microphone probably carries the consultation.

(At this point Dr. Rutman conferred with Mr. Berger.)

Dr. RUTMAN. May I respectfully submit that I am not a member of the Communist Party.

Mr. KUNZIG. You are not a member at the present time?

Dr. RUTMAN. May I respectfully submit that I am not a member of the Communist Party, but that as a loyal American citizen I must uphold my Constitution and defend the right of free speech implicit in the first amendment and free inquiry and therefore in order to defend these rights I must ask leave to use the privilege of the fifth amendment.

Mr. KUNZIG. In other words, as to the question "Have you ever been a member of the Communist Party," your answer is that you refuse to answer on the ground that you may incriminate yourself, is that correct?

Dr. RUTMAN. I object to the use of the word "incriminate." The fifth amendment carries no inference of crime of any kind.

Mr. KUNZIG. We do not have to have a lecture on law. The fifth amendment applies to criminal proceedings. You must be in fear of danger of testifying against yourself in a criminal proceeding.

Dr. RUTMAN. This is the wording of the fifth amendment of the Constitution, but the courts have held that it applies to civil proceedings and Government proceedings as well, so that there is no implication as to the nature of the proceedings.

Mr. KUNZIG. Mr. Chairman, shall we continue, without legal argument?

Mr. VELDE. Yes.

Dr. RUTMAN. This is not a legal argument.

Mr. KUNZIG. Doctor, as a lieutenant in the United States Army, were you assigned in or about 1942 or 1943 to the Rocky Mountain Arsenal Division of the Chemical Corps located in Denver, Colo.?

Dr. RUTMAN. That is right, a division of the Chemical Warfare Corps.

Mr. KUNZIG. Were you supervisor of what was known as the control laboratory?

Dr. RUTMAN. I acted in a supervisory capacity in an analytical laboratory.

Mr. KUNZIG. At the time you had that assignment, were you a member of the Communist Party?

(At this point Dr. Rutman conferred with Mr. Berger.)

Dr. RUTMAN. Again I object to this line of questioning because on the basis of the present-day situation, since questions like this may even soon be denied to members of the Democratic Party, in view of the scare headlines in the paper—

Mr. WALTER. I wouldn't let that worry you a bit. I am a Democrat, and nobody is going to keep my mouth shut.

Were you serving as an officer in the Army?

Dr. RUTMAN. Would you care to have me answer the counsel's question first?

Mr. WALTER. No. I am only interested in facts.

Dr. RUTMAN. I was about to answer that question first.

Mr. WALTER. Were you an officer in the United States Army when you were assigned to this position in Denver, Colo.?

Dr. RUTMAN. Yes; I was an officer in the United States Army.

Mr. WALTER. And at the time you were commissioned you took an oath, did you not?

Dr. RUTMAN. I did, sir.

Mr. WALTER. At that time were you a member of the Communist Party?

Dr. RUTMAN. I was not, sir.

Mr. WALTER. All right.

Mr. KUNZIG. Let us come back to that question as to whether you were a member of the Communist Party when you were a lieutenant in the United States Army stationed in Denver, Colo.

Dr. RUTMAN. I was not.

Mr. KUNZIG. That is good. Now we are getting some answers.

Now let me ask you whether in the assignment from 1944 to 1946, is it correct that as a captain you were assigned to the Analytical Control Division of the Atomic Energy Commission?

Dr. RUTMAN. That is not correct.

Mr. KUNZIG. Did you have any assignment of any kind in connection with the Manhattan District?

Dr. RUTMAN. That is right.

Mr. KUNZIG. What assignment did you have?

Dr. RUTMAN. That is right, but the identification was incorrect.

Mr. KUNZIG. What was the assignment? It was an Army assignment. It was not the Atomic assignment?

Dr. RUTMAN. That is right.

Mr. KUNZIG. Is that the Manhattan Engineer District project that you were attached to?

Dr. RUTMAN. I don't understand. Are you talking with counsel or with me, sir?

Mr. VELDE. Proceed.

Mr. KUNZIG. What was your assignment in connection with the Manhattan project concerning the atom bomb?

Dr. RUTMAN. I was an assigned officer in the Manhattan Engineer District, of the Corps of Engineers of the United States Army.

Mr. KUNZIG. Now, were you a Communist when you had that assignment?

Dr. RUTMAN. I was not. I was not a member of the Communist Party.

Mr. VELDE. What were the years of your assignment in that particular capacity?

Dr. RUTMAN. Well, the dates of this I cannot pin down accurately, but I believe that the assignment began in 1944, I think. Perhaps it was 1943, and it ended in 1946.

Mr. KUNZIG. Were you assigned at any time in Berkeley, Calif., in connection with atomic-energy work?

Dr. RUTMAN. Upon discharge from the Army during terminal leave I spent several months as a civilian assistant in that particular project.

Mr. KUNZIG. Where and when?

Dr. RUTMAN. It was at the close of 1946.

Mr. KUNZIG. What was the assignment and what was your assignment, the work you were doing?

Dr. RUTMAN. Well, I am not free to discuss the nature of any of this work by oath to the respective agencies.

Mr. KUNZIG. This is then secret?

Dr. RUTMAN. That is right, sir.

Mr. KUNZIG. And you were doing classified, secret work?

Dr. RUTMAN. That is right.

Mr. VELDE. Was that at the radiation laboratory at the University of California?

Dr. RUTMAN. That is right.

Mr. KUNZIG. At the time you were doing this classified work in Berkeley, Calif., were you a member of the Communist Party?

Dr. RUTMAN. No.

Mr. KUNZIG. That was in 1946?

Dr. RUTMAN. That is right.

Mr. KUNZIG. Were you a member of the Communist Party in 1947? (At this point Dr. Rutman conferred with Mr. Berger.)

Dr. RUTMAN. Would you repeat the question, please?

Mr. KUNZIG. Were you a member of the Communist Party in 1947?

Dr. RUTMAN. I wish to make it completely clear that I am and always have been a loyal American citizen and the net of inferences now being constructed around me forces me, gives me no choice but to decline to answer this question, I respectfully submit, on the grounds granted me by the privileges of the Constitution and the fifth amendment.

Mr. KUNZIG. When I asked you about whether you were a member of the Communist Party in 1946 when you were working in this highly secret atomic energy work, your answer there quite honestly was "No." Now, suddenly a web of intrigue becomes involved around you.

I asked you a simple question; were you a member of the Communist Party in 1947? There is no difference, just a year.

(At this point Dr. Rutman conferred with Mr. Berger.)

Dr. RUTMAN. On the basis of the reasons I have just given, I stand on my previous answer and I invoke the protection of my free political association granted by the first amendment and also that granted by the fifth amendment.

Mr. WALTER. Your free political right, did you say?

Dr. RUTMAN. That is it exactly. I have a right to associate, hold any ideas and examine any ideas I wish.

Mr. WALTER. And by that I understand you to contend you feel you have a perfect right to join the Communist Party, and, having done so, no legally constituted body has any right to inquire as to the activities of that organization. Is that what I understand you to mean? Or are you paying any attention to me?

(At this point Dr. Rutman conferred with Mr. Berger.)

Dr. RUTMAN. In my answer to that question I did not imply anything of any kind. I stood—

Mr. WALTER. Were you a member of the Communist Party in 1947?

Dr. RUTMAN. May I finish the sentence I started?

Mr. WALTER. Yes; go on.

Dr. RUTMAN. I stood on my privileges under the first and the fifth amendments to our Constitution to decline to answer questions which by any means can result in damage to my well-being, my economic position, my job or in any other fashion harm me as a citizen. That is a protection given me by the fifth amendment.

Mr. WALTER. Why do you think it would be harmful to you to admit that you were a member of the Communist Party?

(At this point Dr. Rutman conferred with Mr. Berger.)

Dr. RUTMAN. I would like to repeat that I am not a member of the Communist Party. I am a loyal American citizen but I have been

advised by my counsel that any citizen admitting former membership in the Communist Party may open himself to damages and prosecution in no way incident with such actions.

Mr. WALTER. If instituted within a statutory period.

Now, may I ask you this; you said you were not a member of the Communist Party in 1942 and 1943 when you were in Denver, Colo.

Dr. RUTMAN. So the record shows now.

Mr. WALTER. Were you a member of the Communist Party before you went to Denver, Colo., in 1942?

Dr. RUTMAN. I was not.

Mr. WALTER. Were you a member of the Communist Party in 1941?

Dr. RUTMAN. I was at no time prior to that a member of the Communist Party.

Mr. WALTER. When did you join the Communist Party?

Dr. RUTMAN. I have not admitted to joining the Communist Party. This is an inference taken by the committee chairman.

Mr. WALTER. I do not happen to be the chairman.

Mr. VELDE. Yes, but I take the inference.

Dr. RUTMAN. This is no inference at all. That is the main difficulty in this situation.

Mr. WALTER. Did you ever become a member of the Communist Party at any time?

Dr. RUTMAN. Will you repeat the question, please?

Mr. KUNZIG. Will you repeat the question, please, Mr. Reporter? (Thereupon the question was read by the reporter as follows:)

Did you ever become a member of the Communist Party at any time?

Dr. RUTMAN. On the advice of my counsel I respectfully submit I cannot answer that question under the—I will not answer that question under the privileges afforded me by the fifth amendment to the Constitution.

Mr. VELDE. Mr. Witness, it appears to Mr. Walter and to myself that you at one time joined the Communist Party. If your statement is correct, and I think it probably is in both of our minds here, you must have joined the Communist Party after 1946 and had not belonged to it before that time.

In a sensitive position that you held at the University of California certainly you must have become aware of the danger of the Communist conspiracy to this Government at that late date and it is difficult for me to understand why any loyal American citizen would join the Communist Party after so much information had been sent out to the people regarding the nature of the Soviet conspiracy.

Let me ask you a question. Are you familiar with the House committee's report on Soviet espionage at the radiation laboratory in Berkeley, Calif.?

Dr. RUTMAN. No.

Mr. VELDE. You have never read that report?

Dr. RUTMAN. I have not, sir.

Mr. VELDE. Are you familiar with the organization known as the Federation of Electronic Engineers, Chemists, and Technicians?

Dr. RUTMAN. I recollect the name, but that is all it means to me.

Mr. VELDE. Were you a member of that organization?

Dr. RUTMAN. No.

Mr. VELDE. I do want to instruct our investigator for the committee to send the witness a copy of the report of the Soviet espionage in the radiation laboratory in Berkeley, Calif.

Mr. KUNZIG. You say you were not a member of the Communist Party in 1946 and when we came to 1947 you invoked the fifth amendment and refused to answer.

My question now is were you a member of the Communist Party in 1948.

Dr. RUTMAN. I respectfully refuse to answer that question on the previous grounds.

Mr. KUNZIG. 1949?

Dr. RUTMAN. I repeat the same answer, the privileges granted me by the fifth amendment.

Mr. KUNZIG. 1950?

Dr. RUTMAN. I repeat the same answer, the privileges granted by the fifth amendment.

Mr. KUNZIG. 1951?

Dr. RUTMAN. I repeat the same answer.

Mr. KUNZIG. 1952?

Dr. RUTMAN. I repeat the same answer, that I do not care to answer this question under the fifth amendment.

Mr. WALTER. Just a minute. That isn't an answer; that you do not care to. Do you?

Dr. RUTMAN. That is right, excuse the English formulation. It was unintentional.

Under the privileges granted me by the fifth amendment.

Mr. KUNZIG. You have testified this morning that you are not a member of the Communist Party, this being November of 1953. You refuse to answer with respect to 1952.

Were you a member of the Communist Party in January of 1953?

Dr. RUTMAN. On August 4, 1953, in conjunction with the request of the Jefferson Medical College, I subscribed to the Peckham loyalty oath which requires that I be a member of no subversive organization in order to so take that oath. That oath represented a truthful situation.

Concerning anything that transpired prior to that in the period you have inquired about, I respectfully decline to answer the questions and claim my privileges under the fifth amendment.

Mr. KUNZIG. On August 4, 1953, of this year, were you a member of the Communist Party?

Dr. RUTMAN. It could not be so done without perjuring myself.

Mr. KUNZIG. Just answer the question.

Dr. RUTMAN. I was not when I took the oath.

Mr. KUNZIG. On August 4, 1953, you were not a member of the Communist Party?

Dr. RUTMAN. Yes, sir.

Mr. KUNZIG. Now, on August 3, 1953, were you a member of the Communist Party, the day before you took the loyalty oath?

Dr. RUTMAN. The counsel has heard me answer to the previous question that I will decline to answer questions prior to that period. What is the purpose of repeating the question?

Mr. KUNZIG. On August 3, 1953, you refuse to answer on the grounds of the fifth amendment; is that correct?

Dr. RUTMAN. That is right.

Mr. WALTER. The question is whether or not he was a member of the Communist Party; is that it?

Mr. KUNZIG. Yes, sir.

Mr. WALTER. Were you a Communist, without being a member of the party?

Dr. RUTMAN. I am afraid I do not understand the question at all, sir. You are well aware, I am sure, that almost any action of any kind can be labeled by anyone who wishes, and guilt by association is one of the most serious problems that you can face today.

Mr. WALTER. I have heard that before.

Dr. RUTMAN. It makes it no less true.

Mr. KUNZIG. On February 10, 1951, this committee is in possession of testimony that there was a Negro freedom rally held at Reynolds Hall at 1416 North Broad Street, Philadelphia, Pa., sponsored by the Civil Rights Congress, an organization cited, which has already been mentioned in this testimony before in these 3 days.

Did you on February 10, 1951, attend that rally under the auspices of the Civil Rights Congress?

(At this point Dr. Rutman conferred with Mr. Berger.)

Dr. RUTMAN. I must respectfully decline to answer that question on the grounds of the privileges granted me by the fifth amendment.

Mr. KUNZIG. On June 23, 1951, you were also at a meeting sponsored by the Philadelphia Council of the American Peace Crusade at their headquarters, 1415 Locust Street, Philadelphia, Pa.

This was a sendoff meeting to the delegates to the Chicago Peace Congress to be held June 29 through July 1, 1951, inclusive.

The American Peace Crusade is a cited organization.

Were you there and present on June 23, 1951?

(At this point Dr. Rutman conferred with Mr. Berger.)

Dr. RUTMAN. Again I must respectfully decline to answer that question on the grounds that attendance at such meetings is not in violation of free association, and in addition on the grounds that the fifth amendment grants me that privilege.

Mr. KUNZIG. On July 6, 1951, the committee is in possession of sworn testimony that you, Dr. Rutman, attended a meeting of the Philadelphia Council of the American Peace Crusade, the same group, at 1415 Locust Street, Philadelphia, Pa., and that you spoke at this meeting.

And according to the testimony, in your speech you recommended distribution of United States postcards throughout various neighborhoods requesting that handwritten cards be sent to President Truman demanding the withdrawal of United States troops from Korea.

Did you attend such a meeting and did you so speak?

(At this point Dr. Rutman conferred with Mr. Berger.)

Dr. RUTMAN. I must respectfully and regretfully decline to answer that question.

Mr. KUNZIG. On the same grounds?

Dr. RUTMAN. On the same grounds.

Mr. KUNZIG. On August 26, 1951, there is sworn testimony that you attended the Peace and Brotherhood Festival held at the Old Mill Picnic Grounds, sponsored by the Communist Party, this picnic grounds being 1 mile west of Route 309, West Rock Hill Township, Bucks County, Pa., sponsored by district No. 3 of the Communist Party.

Did you attend this meeting, the Peace and Brotherhood Festival?
(At this point Dr. Rutman conferred with Mr. Berger.)

Dr. RUTMAN. Although I fail to understand what the purpose of these questions is, I must respectfully decline to answer the question on the grounds of the fifth amendment.

Mr. WALTER. You are not under any compulsion.

Dr. RUTMAN. I do repeat.

Mr. KUNZIG. On August 28, 1951, 2 days after the Peace and Brotherhood Festival, there is sworn testimony that you attended a meeting of the Philadelphia Council of the Arts, Sciences and Professions, held in the Clover Room of the Bellevue Stratford Hotel at Broad and Walnut Streets in Philadelphia, Pa. That is part of the National Council of Arts, Sciences, and Professions, which has been cited and previously mentioned.

Did you attend this meeting on August 28, 1951?

(At this point Dr. Rutman conferred with Mr. Berger.)

Mr. VELDE. The committee will be in recess for 10 minutes.

(Whereupon, at 11:03 a. m., the hearing was recessed for 17 minutes.)

Mr. VELDE. The committee will be in order.

Mr. KUNZIG. Dr. Rutman, do you hold a Reserve commission in the United States Army?

Dr. RUTMAN. I do not, sir.

Mr. KUNZIG. Mr. Reporter, would you read the question which was pending just prior to the recess, please?

(The reporter read the question as follows:)

On August 28, 1951, 2 days after the Peace and Brotherhood Festival, there is sworn testimony that you attended a meeting of the Philadelphia council of the Arts, Sciences, and Professions, held in the Clover Room of the Bellevue Stratford Hotel at Broad and Walnut Streets in Philadelphia, Pa. That is part of the National Council of Arts, Sciences, and Professions, which has been cited and previously mentioned.

Did you attend this meeting on August 28, 1951?

Dr. RUTMAN. I must respectfully decline to answer that question. I have no desire to bring the names of other people into the proceedings of this committee because that can only bring to the person difficulty, economic, social, or even physical. Therefore I must use my immunities under the fifth amendment. I must use my immunities under the fifth amendment to the Constitution and respectfully decline to answer that question.

Mr. KUNZIG. You do not have to use your immunity.

Dr. RUTMAN. I mean simply that I do use my immunity under the fifth amendment in declining to answer that question.

Mr. KUNZIG. I want to make it very clear that we are only asking you about yourself with regard to whether you attended this meeting.

Now, on November 9, 1951, there was a meeting of the Philadelphia Council of the Arts, Sciences, and Professions at the Penn Sheraton Hotel. Were you present at that meeting?

Dr. RUTMAN. May I have the details again?

Mr. KUNZIG. November 9, 1951, a meeting of the Philadelphia Council of the Arts, Sciences, and Professions at the Penn Sheraton Hotel in Philadelphia, Pa.

(At this point Dr. Rutman conferred with Mr. Berger.)

Dr. RUTMAN. Again I must respectfully decline to answer this question on the grounds of the fifth amendment.

Mr. KUNZIG. I, of course, have already stated for the record that the National Council of the Arts, Sciences, and Professions, of which this is a part, is a cited Communist organization.

Dr. RUTMAN. Does the Supreme Court decision have any effect on this?

Mr. KUNZIG. On December 15, 1951, there is sworn testimony that you attended a Bill of Rights rally at Reynolds Hall, Philadelphia, Pa., sponsored by the Pennsylvania Civil Rights Congress.

The principal speaker was James Dolson, who was convicted for violation of the Pennsylvania Sedition Act.

Were you present at that meeting sponsored by the Civil Rights Congress?

(At this point Dr. Rutman conferred with Mr. Berger.)

Dr. RUTMAN. Again I must respectfully use the privileges granted to me by the fifth amendment of the Constitution in declining to answer.

Mr. KUNZIG. On March 20, 1952, you were observed attending a welcome home rally for William L. Patterson, sponsored by the Pennsylvania Civil Rights Congress, at the Academy of Music Foyer. The principal speaker was again James Dolson, a person recently convicted for violation of the Pennsylvania sedition law.

This was sponsored by the civil rights organization, a recently cited organization.

Were you present at that meeting?

(At this point Dr. Rutman conferred with Mr. Berger.)

Dr. RUTMAN. In respect to many of these questions, as in respect to this one, I do not have a memory of the meetings mentioned, but because my memory does not give me a correct picture of this situation I must respectfully decline to answer the question under the fifth amendment.

Mr. WALTER. Why don't you just say "I don't remember"?

Dr. RUTMAN. I don't know what that could lead to.

Mr. KUNZIG. On September 7, 1952, did you attend a freedom picnic held under the auspices of the West Philadelphia Chapter of the Civil Rights Congress at Boyertown at Camp Alpine Road on Route 1 in Boyertown, Bucks County, Pa.? This was sponsored by the Civil Rights Congress, a cited organization. Were you present there, as the committee is in possession of sworn testimony, that you were?

(At this point Dr. Rutman conferred with Mr. Berger.)

Dr. RUTMAN. I plead the fifth amendment on this question and I decline to answer it under the privileges given me by that amendment.

Mr. KUNZIG. I have no further questions, Mr. Chairman.

Mr. VELDE. Do you have any questions, Mr. Walter?

Mr. WALTER. No questions.

Mr. VELDE. The witness is excused. Call your next witness, Mr. Counsel.

Mr. KUNZIG. I call Solomon Haas.

Mr. HAAS. Mr. Chairman, I request that the lights be put out and that no pictures be taken.

Mr. VELDE. Will you come forward and be sworn?

In the testimony you are about to give before this subcommittee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. HAAS. Yes, sir; I do.

Mr. VELDE. Do you now make the request that the television lights be turned off?

Mr. HAAS. Yes; I do.

Mr. VELDE. The television lights will now be turned off.

**TESTIMONY OF SOLOMON HAAS, ACCOMPANIED BY HIS COUNSEL,
ALBERT B. GERBER**

Mr. KUNZIG. Would you now state your full name, please?

Mr. HAAS. Solomon Haas.

Mr. KUNZIG. Your address, please?

Mr. HAAS. 5432 Sansom Street.

Mr. KUNZIG. In Philadelphia?

Mr. HAAS. Yes, sir.

Mr. KUNZIG. Would counsel please state his name and office for the record?

Mr. GERBER. Albert B. Gerber, 1512 Walnut Street, Philadelphia, Pa.

Mr. KUNZIG. Would you give the committee a brief résumé of your educational background?

Mr. HAAS. I attended the public schools in Philadelphia, graduated from high school in 1933.

I continued my education at Temple University and graduated with a bachelor of arts degree in 1949, continued there and in 1951, approximately 1951, I got my master's degree in education.

Mr. KUNZIG. What is your employment background?

Mr. HAAS. I had scattered employment up until the time of approximately 1934.

In 1934 I had begun to work for Litt Brothers.

From 1935 to the end of 1938 I worked for radio station WFIL.

Mr. KUNZIG. Please continue.

Mr. HAAS. I worked for a brief period for the Associated Hospital Service of Philadelphia in 1939.

I had scattered employment until August 1941, at which time, from 1941 with intermittent periods until 1949, February, I worked for the Department of Public Assistance. This was interrupted by a period of time that I was in the Army.

It was also interrupted for schooling.

In 1949, in December, until the present time, I am with the school system.

Mr. KUNZIG. Where do you teach, Mr. Haas?

Mr. HAAS. At the Hunter Elementary Public School.

Mr. KUNZIG. Where is that?

Mr. HAAS. Masher and Dolphin Streets.

Mr. KUNZIG. What grade do you teach?

Mr. HAAS. 6-A and 5-B.

Mr. KUNZIG. Have you ever been a member of the Communist Party, Mr. Haas?

Mr. HAAS. I am not now a member of the Communist Party.

Mr. KUNZIG. That did not answer the question. The question was have you ever been a member of the Communist Party.

(At this point Mr. Haas conferred with Mr. Gerber.)

Mr. HAAS. I plead the privileges under the fifth amendment.

Mr. KUNZIG. And you refuse to answer that then on the grounds that it might incriminate you, is that correct?

Mr. HAAS. I plead the privileges under the fifth amendment.

Mr. KUNZIG. And decline to answer the question?

Mr. HAAS. Well, if you interpret it as such, it is a declination.

Mr. KUNZIG. It seems rather obvious that it is.

Now, in 1946 were you a member of section 10 of the Communist Party? The committee is in possession of sworn testimony that you were a member of section 10 in 1946.

(At this point Mr. Haas conferred with Mr. Gerber.)

Mr. HAAS. I respectfully decline to answer the question under the fifth amendment.

Mr. KUNZIG. We have sworn testimony, sir, that in 1947 you attended a special party given by the 30th ward of section 5 of the Communist Party of eastern Pennsylvania and Delaware.

Did you so attend a meeting of the 30th ward, section 5, of the Communist Party?

Mr. HAAS. I respectfully decline to answer the question under the fifth amendment.

Mr. KUNZIG. Have you ever been a member of the International Workers' Order, a cited Communist-front organization?

Mr. HAAS. I respectfully decline under the fifth amendment.

Mr. KUNZIG. The committee is in possession of sworn testimony that in 1947 you were a member of the International Workers' Order.

We also have testimony that in 1948 you were a member of the Daily Worker Press Club. Were you a member of that club?

Mr. HAAS. I respectfully decline to answer the question under the fifth amendment.

Mr. KUNZIG. On October 26, 1949, a picket line, sponsored by the Communist Party of eastern Pennsylvania and Delaware, was between Eighth and Ninth Streets on Market Street in front of this building in Philadelphia, Pa. Were you a member of that picket line?

Mr. HAAS. I respectfully decline on the basis of the fifth amendment.

Mr. KUNZIG. We have sworn testimony that you were participating in that picket line, handing out circulars concerning the verdict concerning the 11 national leaders of the Communist Party.

I have no further questions, Mr. Chairman.

Mr. VELDE. Mr. Walter, do you have any questions?

Mr. WALTER. Where were you employed in 1949?

Mr. HAAS. I was working from February until December for the Department of Public Assistance. In December I began to work for the school system.

Mr. WALTER. When was that picket line, Mr. Counsel?

Mr. KUNZIG. October 26, 1949.

Mr. WALTER. That is all.

Mr. VELDE. The witness is excused.

Call the next witness.

Mr. KUNZIG. I call Mr. Herman Beilan.

Mr. BEILAN. I would like not to be televised, please.

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BEILAN. I do.

I would like to request that the television cameras be turned off, please.

Mr. VELDE. Is it because they will confuse you in your testimony? The lights are ordered again turned off.

Mr. BEILAN. I would like the television to be turned off completely, according to your own rules.

Mr. VELDE. The television cameras will be turned off the witness and the television photographers will not photograph the witness during this hearing.

Mr. KUNZIG. Shall I proceed, Mr. Chairman?

Mr. VELDE. Yes.

TESTIMONY OF HERMAN AARON BEILAN, ACCOMPANIED BY HIS COUNSEL, W. J. WOOLSTON

Mr. KUNZIG. Would you give your full name, please?

Mr. BEILAN. Herman Aaron Beilan.

Mr. KUNZIG. Your address, please, sir?

Mr. BEILAN. 7641 Thouron Avenue.

Mr. KUNZIG. Would counsel please state his name and address for the record?

Mr. WOOLSTON. W. J. Woolston, 1529 Walnut Street, Philadelphia, Pa.

Mr. KUNZIG. Would you give the committee, please, Mr. Beilan, a brief résumé of your educational and employment background?

Mr. BEILAN. Yes, sir.

I graduated from Central High School in the year 1928.

I went to the Philadelphia Normal School and graduated in February 1930.

I was appointed as a teacher 2 weeks later. I continued my education at Teachers' College, from which school I graduated in 1934 with honors.

Since that time I have taken many in-service courses offered by the board of education.

My professional record is as follows: I was appointed on February 17, 1930, to the industrial arts class of the Crispin Elementary School. I taught there until September 1, 1933, when I was appointed to the Ferguson School.

In 1940 the board of education abandoned the industrial arts program and I was reappointed to the grades in the same school. That was in February 1940.

In September 1942, I was transferred to the Blaine School, and in September 1944 I was appointed to the Barratt Junior High School in the field of general education.

In February 1947 I was appointed to the senior high school in the field of English and for one-half year, as was the custom at that time, I served as an auxiliary teacher in district 6.

In September of that year I was appointed to Grants High School, where I am now teaching.

Mr. KUNZIG. What do you teach there, Mr. Beilan?

Mr. BEILAN. I asked to have the cameras turned off. I respectfully ask again, according to your own rules, that they be turned off.

Mr. VELDE. The rule refers to telecast.

Mr. BEILAN. One of the cameras has "TV" marked on it.

Mr. VELDE. I understand from the technician that it is not running.

Mr. KUNZIG. Have you been a director of Sunnyland Day Camp located on Route 309, Montgomery County, near here, a camp for children?

Mr. BEILAN. Yes, I have.

Mr. KUNZIG. When was that, what year?

Mr. BEILAN. 1952 and 1953.

Mr. KUNZIG. Mr. Beilan, have you ever been a member of the Communist Party?

Mr. BEILAN. I have several reasons for not answering that question. I believe I have the right under the Constitution of the United States not to answer that question, under the fifth amendment.

Mr. KUNZIG. You refuse to answer under the fifth amendment?

Mr. BEILAN. That is well stated.

Mr. KUNZIG. This committee is in possession of sworn testimony that you have been a member of the Communist Party and that also in 1943 and 1944 you were a member of the Daily Worker Press Club. Is that correct?

Mr. BEILAN. I object to this question because this is cross examination.

According to your own rules, and I would like to give the number of the rule, rule 11, in this book that was handed to me, entitled "Rules of Procedure"——

Mr. KUNZIG. Would you answer the question, please, Mr. Beilan? Have you been a member during 1943 and 1944 of the Daily Worker Press Club?

Mr. BEILAN. I would like a ruling from the chairman.

Mr. VELDE. The committee does not make any rules. Will you proceed to give the information which is being requested of you by counsel?

Mr. BEILAN. These rules were handed to me.

Mr. VELDE. We are familiar with the rules of this committee. Will you please proceed so that we might have other witnesses before we have to adjourn? Maybe somebody will give us a little information pretty soon.

Mr. BEILAN. I want to register an objection.

Now, will you please repeat the question?

Mr. KUNZIG. Mr. Reporter, would you read back the question to the witness?

(Whereupon, the following question was read:)

This committee is in possession of sworn testimony that you have been a member of the Communist Party and that also in 1943 and 1944 you were a member of the Daily Worker Press Club. Is that correct?

Mr. BEILAN. I invoke the privileges of the fifth amendment.

Mr. KUNZIG. In 1944 were you press director of the professional section of section 8 of the Communist Political Association, as has been testified to under oath before this committee?

Mr. BEILAN. Same answer, same reason.

Mr. KUNZIG. Now, in 1945 were you secretary of section 8 of the Communist Political Association, as has been testified to before this committee under oath?

Mr. BEILAN. Same answer, same reason.

Mr. KUNZIG. We also have, under oath, testimony that in 1944——

Mr. BEILAN. Excuse me while I consult with my counsel.

(At this point Mr. Beilan conferred with Mr. Woolston.)

Mr. KUNZIG. Have you concluded your conference?

Mr. BEILAN. Yes. Now, would you repeat the question, please?

Mr. KUNZIG. Will the reporter read the question?

(Whereupon, the following question was read:)

Now, in 1945 were you secretary of section 8 of the Communist Political Association, as has been testified to under oath before this committee?

Mr. BEILAN. Same answer, same reason.

Mr. KUNZIG. The committee is in possession of sworn testimony that in 1944, as a member of the Communist Party, you held membership book No. 78343. Is that correct?

(At this point Mr. Beilan conferred with Mr. Woolston.)

Mr. BEILAN. Same answer, same reason.

Mr. KUNZIG. And in 1945 we have sworn testimony that you held membership book in the Communist Party No. 87591.

Mr. BEILAN. I invoke my privilege under the fifth amendment.

Mr. KUNZIG. We have testimony that in 1946 and in 1947 you were an organizer of the professional section of the Communist Party of eastern Pennsylvania and Delaware. Is that correct?

(At this point Mr. Beilan conferred with Mr. Woolston.)

Mr. BEILAN. May I ask if you have this information why is it relevant that you ask me?

Mr. VELDE. Because the matters about which counsel is asking you are certainly within your own knowledge either to admit or to deny. If they are not within your own knowledge then you can deny that you know anything about them at all. We like to go to the source of information.

(At this point Mr. Beilan conferred with Mr. Woolston.)

Mr. BEILAN. Yes; but these questions do not relate to propaganda activities.

Mr. VELDE. We do not care for any further argument. We would like to hear the answer.

Mr. BEILAN. I would like to please have you explain the relevancy of this question.

Mr. WALTER. It would be developed quite rapidly if you would answer the question. You would see the relevancy of the whole thing.

Mr. BEILAN. Would you please repeat the question?

Mr. KUNZIG. Mr. Reporter, would you please read the pending question?

(Whereupon the pending question was read:)

We have testimony that in 1946 and in 1947 you were an organizer of the professional section of the Communist Party of eastern Pennsylvania and Delaware. Is that correct?

Mr. WALTER. I will explain to you the relevancy of this question. If you would answer to the best of your ability, then we could find out how extensive was the work you did, how many people joined and whether or not those people who joined became active in the dissemination of propaganda.

You see how it is all part of the picture, depending of course, upon your answer.

(At this point Mr. Beilan conferred with Mr. Woolston.)

Mr. BEILAN. Is the question, Mr. Chairman, that you want information about other people and not about me?

Mr. VELDE. We want all information we can get about the Communist activities, whether it involves you or other people, who have been engaged in Communist subversive activities which would destroy this country.

Mr. BEILAN. I am willing to talk about myself and about no one else.

Mr. VELDE. Please do, then.

Mr. BEILAN. Will you agree not to ask me any question about anyone else?

Mr. VELDE. We are not making deals with you or anyone else about any evidence you are called upon to give or any answers you are called upon to give.

(At this point Mr. Beilan conferred with Mr. Woolston.)

Mr. BEILAN. I refuse to answer under the fifth amendment.

Mr. KUNZIG. Were you a member, Mr. Beilan, of the International Workers' Order in 1947 and 1949, a cited organization?

(At this point Mr. Beilan conferred with Mr. Woolston.)

Mr. BEILAN. I invoke the privileges.

Mr. KUNZIG. No further questions, Mr. Chairman.

Mr. VELDE. Mr. Walter, do you have any questions?

Mr. WALTER. Where was this boys' camp that you were connected with?

Mr. BEILAN. Your information is inaccurate. It was not a boys' camp. It was a children's camp.

Mr. WALTER. Excuse me, please. Where was this children's camp located?

Mr. BEILAN. I believe if you have the court reporter read back, you located it.

Mr. WALTER. Don't bother.

Mr. BEILAN. I will answer it. On route 309.

Mr. WALTER. I am withdrawing the question.

What did the children do during the period that you were at the camp? Were they given any courses of instruction on athletic training?

(At this point Mr. Beilan conferred with Mr. Woolston.)

Mr. BEILAN. Well, I think we had a combination program of both athletic activities.

Mr. WALTER. You said "I think we did." Did you?

Mr. BEILAN. We did have such activities.

Mr. WALTER. Now, who were the instructors?

Mr. BEILAN. I am sorry, I did not finish.

Mr. WALTER. Well, you heard me. You have testified as to what I wanted to learn. Who were the instructors of the camp?

Mr. BEILAN. All right. They were Philadelphia teachers, for the most part.

Mr. WALTER. Will you give us their names, please?

(At this point Mr. Beilan conferred with Mr. Woolston.)

Mr. BEILAN. We had a staff of about 10 or 12 people. I would like a few minutes to recall to my memory exactly the names of those people.

Mr. WALTER. To save time, if you will prepare the list and mail it to the committee, that would be satisfactory.

Mr. BEILAN. I will be very happy to do that.

Mr. WALTER. What educational facilities were provided for the youth?

Mr. BEILAN. As a teacher of 23 years I have always had the opinion that we should provide as fine educational facilities as possible. We had a library there of approximately 100 books.

Mr. WALTER. What was in the library?

Mr. BEILAN. Books which I obtained from the free library of Philadelphia at 19th and Parkway.

Mr. WALTER. Have we such a list?

Mr. BEILAN. I have such a list. I will be glad to mail it to you.

Mr. WALTER. Were the children instructed in communism?

Mr. BEILAN. I have no knowledge of such instruction.

Mr. WALTER. Who was in charge of the camp?

Mr. BEILAN. I was.

Mr. WALTER. That is all.

Mr. KUNZIG. No further questions, Mr. Chairman.

Mr. VELDE. The witness is excused.

Call the next witness.

Mr. BEILAN. May I please submit a statement? I have a prepared statement.

Mr. KUNZIG. Mr. Beilan, would you please return to the stand? I have one more question.

Mr. WALTER. Mr. Beilan, I have asked you to come back because your statement was submitted at the completion of your testimony. I am not impugning your motives or beliefs and I have not gone further than five lines of your prepared statement.

You state:

I make this statement in good faith and as a personal effort to counteract the false impressions which have resulted from the highly prejudicial publicity which has been leveled against the Philadelphia schools.

I want you to know that there has been nothing done in these hearings that would in anywise reflect on the Philadelphia schools or on the Philadelphia school system. Now if there are any individuals that we feel, in compliance with our duties to the Congress of the United States, should be brought before this subcommittee to testify, that is one thing. But this follows a very similar line.

Now you state further:

unequivocally that I have always been a loyal American, that I have never advocated or participated in any illegal activity against the United States—and so on.

In light of that statement submitted at the completion of your sworn testimony, and this is not under oath, I will ask you have you ever been a member of the Communist Party?

Mr. BEILAN. I submitted this statement under oath.

Mr. WALTER. No, you did not. This was a statement submitted at the completion of your testimony, after you had left the witness stand.

Mr. BEILAN. I will submit it now under oath.

Mr. WALTER. All right, now. Do you swear that you have never been a member of the Communist Party?

(At this point Mr. Beilan conferred with Mr. Woolston.)

Mr. BEILAN. I refuse to answer.

Mr. WALTER. All right. Let this be made a part of the record.

Mr. BEILAN. I am not under oath.

Mr. WALTER. Oh, yes; you are under oath.

Mr. WOOLSTON. Certainly he is.

Mr. VELDE. The witness is excused.

Mr. WOOLSTON. Could you repeat that last question? I do not think he understood it.

Mr. WALTER. Read the question back, Mr. Reporter.

(The reporter read the question as follows:)

All right, now. Do you swear that you have never been a member of the Communist Party?

Mr. WALTER. The question was were you ever a member of the Communist Party.

Mr. BEILAN. I am not now a member.

Mr. WALTER. I said have you ever been.

Mr. BEILAN. I refuse to answer under the fifth amendment.

Mr. WALTER. All right.

Mr. KUNZIG. I have no questions, Mr. Chairman.

Mr. VELDE. The witness is excused.

Mr. KUNZIG. I call Thomas Deacon.

Mr. VELDE. In the testimony you are about to give before this subcommittee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DEACON. I do.

May I respectfully request, in accordance with your rules, that the television be turned off and all cameras be turned off, including motion pictures and newspapers?

Mr. VELDE. The lights of the television cameras and the television cameras themselves will be turned off the witness during his testimony.

TESTIMONY OF THOMAS DEACON, ACCOMPANIED BY HIS COUNSEL, A. HARRY LEVITAN

Mr. KUNZIG. Would you state your name, please?

Mr. DEACON. Thomas Deacon.

Mr. KUNZIG. What is your address?

Mr. DEACON. 1931 Spruce Street.

Mr. KUNZIG. Are you presently a teacher in the Philadelphia school system?

Mr. DEACON. Yes.

Mr. KUNZIG. What school?

Mr. DEACON. I beg your pardon, I am a counselor at this time at the Sulzberger Junior High.

Mr. KUNZIG. What are your duties at Sulzberger Junior High School?

Mr. DEACON. I help individual students with problems, attendance, behavior problems.

Mr. KUNZIG. Would you state very briefly your educational background?

Mr. DEACON. I graduated from the Philadelphia Normal School in 1928. I began to teach in elementary school at that time.

I taught elementary school for approximately 15 years, during which time I went to Temple University and obtained a bachelor's degree and a master's degree in counseling.

Mr. KUNZIG. When did you first become employed with the Philadelphia schools?

Mr. DEACON. In 1929.

Mr. KUNZIG. You have been with them ever since?

Mr. DEACON. Yes.

Mr. KUNZIG. At what schools, sir, the main ones?

Mr. DEACON. Principally at Barry School for about 14 years.

Mr. KUNZIG. And now Sulzberger Junior High?

Mr. DEACON. Yes.

(At this point Mr. Deacon conferred with Mr. Levitan.)

Mr. KUNZIG. Let the record show that Mr. Levitan is representing the witness.

This committee has sworn testimony, Mr. Deacon, that you have been a member of the "in town" group of section 8 of the Communist Party. Is that correct?

Mr. DEACON. I took the loyalty oath. I am not a member of the Communist Party.

Mr. KUNZIG. Let us just answer the question. Have you ever been a member of the "in town" group of section 8 of the Communist Party?

Mr. DEACON. I refuse to answer under the grounds of the fifth amendment.

Mr. KUNZIG. Did you take the Pennsylvania loyalty oath about April 1952?

Mr. DEACON. Yes, sir.

Mr. KUNZIG. Were you a member of the Communist Party in March of 1952?

Mr. DEACON. I refuse to answer on the basis previously given.

Mr. KUNZIG. Were you a member of the Communist Party when you took the loyalty oath?

Mr. DEACON. No.

Mr. KUNZIG. Were you a member of the Communist Party the day before you took the loyalty oath?

Mr. DEACON. Same answer.

Mr. KUNZIG. You refuse to answer on the grounds of the fifth amendment?

Mr. DEACON. Yes, sir.

Mr. KUNZIG. We also have sworn testimony, Mr. Deacon, that in 1944 you had membership book No. 78308 in the Communist Party. Is that correct?

Mr. DEACON. Same answer, same reason.

Mr. KUNZIG. In 1945 we have sworn testimony that you had Communist Party book No. 86246. Is that correct?

Mr. DEACON. Same answer, same reason.

Mr. KUNZIG. You refuse to answer on the grounds of the fifth amendment?

Mr. DEACON. Yes, sir.

Mr. KUNZIG. No further questions, Mr. Chairman.

Mr. VELDE. Mr. Walter, do you have any questions?

Mr. WALTER. No questions.

Mr. VELDE. The witness is excused.

Before adjourning the subcommittee, I would like to make a statement.

Some weeks ago in Washington we had scheduled hearings concerning Communist activities in the Philadelphia area which would be held on Monday, Tuesday, and Wednesday of this week. Due to the great pressure of other congressional business upon myself and the other members of the committee it will be impossible to continue hearings for a longer period in Philadelphia at this time.

It will therefore be necessary, in accordance with the usual custom of the committee, to hear the remaining witnesses at some future time in Washington, D. C.

I therefore order that the witnesses who have been subpoenaed to appear in Philadelphia before the House Committee on Un-American Activities either Monday, Tuesday, or Wednesday are hereby continued until further notice. You will be notified as to the time and place of the hearing by telegram.

At the conclusion of our Philadelphia hearings I wish to say I am exceedingly sorry that the great majority of witnesses have seen fit to refuse to give to this committee the benefit of the knowledge we know they have concerning Communist activities in the Philadelphia area.

As counsel has repeatedly stated, the committee is in possession of sworn testimony which leaves no room for doubt that the witnesses who were subpoenaed could greatly enlarge our knowledge of subversive activities. But the witnesses refused to talk. Instead, they say nothing. One can only draw the conclusion that although many witnesses have emphasized that they are not today members of the Communist Party, they did not wish to help destroy the Communist conspiracy. It must be kept in mind and never forgotten that there are some 8,000 teachers in the city of Philadelphia, the overwhelming majority of whom are fine, outstanding, loyal American citizens.

We must not lose our sense of proportion in these matters because a small group of teachers have seen fit to take the course they did before this committee. It does not in any way reflect upon either the board of education or the fine, able, and conscientious teachers of the city of Philadelphia.

I wish to emphasize this point and make my meaning abundantly clear.

In conclusion, it is the desire of the committee to thank the many people in Philadelphia who have cooperated and helped enormously with the arrangements for these hearings. The United States marshal, the clerk of the district court, and the courts have been more than cooperative.

In particular I want to express my appreciation to the Honorable Frank Truscott, attorney general of the State of Pennsylvania, and his able staff for their valuable cooperation and assistance.

Unless the gentleman from Pennsylvania, Mr. Walter, has something further to say, the committee will stand in adjournment at this time until further notice.

(Whereupon, at 12:02 p. m., the hearing was adjourned.)

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